



# DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE

## Annual Report on Sexual Harassment and Violence at the Military Service Academies

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Academic Program Year 2012–2013

December 2013



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PERSONNEL AND  
READINESS

UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

JAN 08 2014

The Honorable Howard P. "Buck" McKeon  
Chairman  
Committee on Armed Services  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

Section 532 of Public Law 109-364, the John Warner National Defense Authorization Act for Fiscal Year 2007, requires an annual report during each Academic Program Year on the effectiveness of the policies, training, and procedures of each Military Service Academy with respect to sexual harassment and violence involving Academy personnel.

The enclosed "Academic Program Year 2012-2013 Report on Sexual Harassment and Violence at the Military Service Academies" provides an assessment of the Academies in the areas of prevention, investigation, accountability, victim advocacy/assistance, and assessment with regards to sexual harassment and assault, as well as data and analysis on reported cases of sexual harassment and assault involving Academy personnel occurring between June 1, 2012 and May 31, 2013. Also included as part of this year's report is the Defense Manpower Data Center's "2013 Service Academy Gender Relations Focus Group Report."

Over the past year, we have seen considerable energy and emphasis placed on the respective service academy sexual assault prevention and response programs. Critical to these on-going efforts is establishing a common cadet and midshipman culture that embraces dignity and respect for all, and one in which our future officers demonstrate the social courage to challenge those who do not. The Report on Sexual Harassment and Violence shows that senior leaders are demonstrably involved in these efforts at each Academy, but additional measures must be taken to eliminate sexist behaviors, sexual harassment, and sexual assault.

To this end, Secretary Hagel is directing the Secretaries of the Military Departments to enhance their respective Academy programs through the following initiatives. The Academies will implement Academy-focused sexual harassment and assault prevention and response strategic plans; implement program metrics and assessment tools; involve cadets and midshipmen in command climate assessments; innovate and implement solutions to address concerns of social retaliation among peers; develop and implement sexual harassment and sexual assault learning objectives into academic curricula; and will review and expand institutional alcohol policies. Reports from the Military Departments on these initiatives are due back to Secretary Hagel by March 30, 2014.

Our military service academies are institutions where we must develop future officers of the highest character to lead our U.S. Armed Forces. As such, preventing sexual assault and sexual

harassment at these institutions remains a top priority for the Department of Defense. I know you share my commitment in this effort.

I am sending a similar letter, with the Department's report, to the Chairman and Ranking Member of the Senate Committee on Armed Services.

Sincerely,

  
Jessica L. Wright  
Acting

Enclosure:  
As stated

cc:  
The Honorable Adam Smith  
Ranking Member





PERSONNEL AND  
READINESS

UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

JAN 08 2014

The Honorable Carl Levin  
Chairman  
Committee on Armed Services  
United States Senate  
Washington, DC 20510

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Jessica L. Wright  
Acting

Enclosure:  
As stated

cc:  
The Honorable James Inhofe  
Ranking Member



# **Department of Defense Annual Report on Sexual Harassment and Violence at the Military Service Academies Academic Program Year 2012-2013**

***Section 532 of  
the John Warner National Defense Authorization Act  
for Fiscal Year 2007  
(Public Law 109-364)***

The estimated cost of report or study for  
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## Table of Contents

<b>KEY FINDINGS UPDATE: SEXUAL ASSAULT PREVALENCE VERSUS SEXUAL ASSAULT REPORTING AT THE MILITARY SERVICE ACADEMIES .....</b>	<b>5</b>
<b>EXECUTIVE SUMMARY .....</b>	<b>8</b>
<b>ACTIONS TAKEN SINCE REPORT CLOSEOUT .....</b>	<b>13</b>
<b>UNITED STATES MILITARY ACADEMY .....</b>	<b>13</b>
<b>UNITED STATES NAVAL ACADEMY .....</b>	<b>14</b>
<b>UNITED STATES AIR FORCE ACADEMY .....</b>	<b>16</b>
<b>INTRODUCTION .....</b>	<b>18</b>
<b>REPORT REQUIREMENT .....</b>	<b>18</b>
<b>DEFINITION OF SEXUAL HARASSMENT AND SEXUAL VIOLENCE (ASSAULT).....</b>	<b>18</b>
<b>ASSESSMENT PROCESS .....</b>	<b>18</b>
<b>LINES OF EFFORT .....</b>	<b>19</b>
<b>DMDC FOCUS GROUPS .....</b>	<b>20</b>
<b>STATISTICAL DATA ON SEXUAL HARASSMENT AND ASSAULT .....</b>	<b>22</b>
<b>BACKGROUND .....</b>	<b>22</b>
<b>WHAT IT CAPTURES .....</b>	<b>22</b>
<b>WHOM IT DESCRIBES .....</b>	<b>24</b>
<b>WHEN IT HAPPENED .....</b>	<b>25</b>
<b>HOW IT IS GATHERED .....</b>	<b>25</b>
<b>WHY IT IS COLLECTED .....</b>	<b>26</b>
<b>AGGREGATE STATISTICAL DATA ON SEXUAL HARASSMENT AND ASSAULT .....</b>	<b>28</b>
<b>SEXUAL ASSAULT .....</b>	<b>28</b>
<b><i>APY 12-13 Unrestricted Reports of Sexual Assault .....</i></b>	<b>33</b>
<b><i>APY 12-13 Restricted Reports of Sexual Assault.....</i></b>	<b>40</b>
<b><i>APY 12-13 Service Referral Information.....</i></b>	<b>42</b>
<b>SEXUAL HARASSMENT .....</b>	<b>42</b>
<b>STATISTICAL DATA SUMMARY.....</b>	<b>43</b>
<b>ASSESSMENT OF MSA PROGRAMS: FINDINGS COMMON TO ALL ACADEMIES.....</b>	<b>44</b>
<b>FOSTERING A CLIMATE OF DIGNITY AND RESPECT .....</b>	<b>44</b>
<b><i>Address Damaging Peer Pressure .....</i></b>	<b>44</b>
<b><i>Encourage Further Faculty and Staff Training and Involvement.....</i></b>	<b>46</b>
<b><i>Improve Training Approach .....</i></b>	<b>47</b>
<b><i>Expand Alcohol Policies .....</i></b>	<b>48</b>
<b>PROGRAM DEVELOPMENT AND ASSESSMENT.....</b>	<b>49</b>



<b>FOCUS GROUP RESULTS.....</b>	<b>50</b>
<i>Program Compliance.....</i>	<i>51</i>
<i>Reporting Sexual Assault.....</i>	<i>51</i>
<i>Cultural Issues .....</i>	<i>52</i>
<i>Alcohol.....</i>	<i>52</i>
<i>Faculty/Staff Involvement.....</i>	<i>52</i>
<b>SUMMARY OF RECOMMENDATIONS FOR ALL MSAs .....</b>	<b>53</b>
<b>CONCLUSION.....</b>	<b>53</b>
<b>UNITED STATES MILITARY ACADEMY .....</b>	<b>55</b>
INTRODUCTION.....	55
LINE OF EFFORT 1: PREVENTION.....	56
LINE OF EFFORT 2: INVESTIGATION .....	62
LINE OF EFFORT 3: ACCOUNTABILITY .....	64
LINE OF EFFORT 4: ADVOCACY/VICTIM ASSISTANCE .....	67
LINE OF EFFORT 5: ASSESSMENT.....	70
ASSESSMENT OF RECOMMENDATIONS FROM PREVIOUS REPORTS .....	73
<b>UNITED STATES NAVAL ACADEMY .....</b>	<b>74</b>
INTRODUCTION.....	74
LINE OF EFFORT 1: PREVENTION.....	75
LINE OF EFFORT 2: INVESTIGATION .....	83
LINE OF EFFORT 3: ACCOUNTABILITY .....	85
LINE OF EFFORT 4: ADVOCACY/VICTIM ASSISTANCE .....	88
LINE OF EFFORT 5: ASSESSMENT.....	92
ASSESSMENT OF RECOMMENDATIONS FROM PREVIOUS REPORTS .....	94
<b>UNITED STATES AIR FORCE ACADEMY.....</b>	<b>95</b>
INTRODUCTION.....	95
LINE OF EFFORT 1: PREVENTION.....	96
LINE OF EFFORT 2: INVESTIGATION .....	102
LINE OF EFFORT 3: ACCOUNTABILITY .....	104
LINE OF EFFORT 4: ADVOCACY/VICTIM ASSISTANCE .....	106
LINE OF EFFORT 5: ASSESSMENT.....	111
ASSESSMENT OF RECOMMENDATIONS FROM PREVIOUS REPORTS .....	114
<b>APPENDICES .....</b>	<b>1</b>
<b>APPENDIX A: ACRONYM DICTIONARY .....</b>	<b>A - 1</b>

<b>APPENDIX B: LAW REQUESTING REPORT .....</b>	<b>B - 1</b>
<b>APPENDIX C: POLICY AND REPORT REFERENCES.....</b>	<b>C - 1</b>
<b>APPENDIX D: DATA MATRICES.....</b>	<b>D - 1</b>

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## KEY FINDINGS UPDATE: SEXUAL ASSAULT PREVALENCE VERSUS SEXUAL ASSAULT REPORTING AT THE MILITARY SERVICE ACADEMIES

Each year, the Department is required to conduct an assessment of policies and programs to address sexual harassment and sexual assault at the Military Service Academies (MSAs). The following is a brief synopsis of last year's key findings compared with this year's key findings.

### Review of Last Year's Key Findings - Academic Program Year (APY) 11-12

- Reports of sexual assault increased at two of three MSAs, with 58 reports made by cadets and midshipmen during the Academic Program Year (APY) for events they experienced while they were in military service.<sup>1</sup> Of the 58 reports, 76% involved cadet/midshipman versus cadet/midshipman crime.
  - An additional 8 reports involved civilian victims who reported being sexually assaulted by a cadet or midshipman.
- Rates of unwanted sexual contact<sup>2</sup> remained statistically unchanged for both academy men and women since 2010; sexual harassment rates decreased for both academy men and women since 2010, as measured by a scientific survey conducted every two years.<sup>3</sup>
- Overall, the Department found that 58 cadets and midshipmen reported a sexual assault, out of an estimated 526 cadets and midshipmen who experienced an incident of unwanted sexual contact occurring during APY 11-12, as indicated by survey prevalence rates.<sup>4</sup> Based on these data, about 11% of the estimated number of cadets and midshipmen, who indicated experiencing unwanted sexual contact in the past year, reported a sexual assault.

### This Year's Key Findings - APY 12-13

- Reports of sexual assault decreased at two of three MSAs, with 53 reports made by cadets and midshipmen during APY 12-13 for events they experienced while

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<sup>1</sup> A total of 80 Unrestricted and Restricted reports were actually received, but 13 of the reports were for events that occurred to cadets and midshipmen before they entered military service at the Academies; an additional 8 reports involved civilian victims that reported being sexually assaulted by a cadet or midshipman; and one cadet was the victim in two separate Unrestricted Reports. Civilian victim reports that involve a cadet or midshipman as the alleged offender are fully investigated, but are not included in this analysis so as to better provide an understanding of the victimization of cadets and midshipmen at the MSAs.

<sup>2</sup> *Unwanted sexual contact* (USC) is the survey term that describes the crimes in the Uniform Code of Military Justice (UCMJ) that constitute sexual assault, which range from penetrating crimes such as rape to non-penetrating crimes such as abusive sexual contact. The Department measures USC every other year, for the twelve months that constitute the Academic Program Year (June 1 to May 31).

<sup>3</sup> The Defense Manpower Data Center (DMDC) conducted the strictly voluntary *2012 Service Academy Gender Relations (SAGR) Survey* in spring 2012 at all three Military Service Academies (MSAs). Response rates to the survey ranged from 67% to 88% among female and male cadets and midshipmen. In the 12 months prior to being surveyed in 2012, 12% of women and 2% of men indicated experiencing unwanted sexual contact, which are statistically no different than the rates of unwanted sexual contact measured in the *2010 SAGR* survey. However, the past-year rate of unwanted sexual contact for women at USMA did experience a statistically significant increase, from 9.1% in 2010 to 10.7% in 2012. Also in the 12 months prior to being surveyed in 2012, 51% of women and 10% of men indicated experiencing sexual harassment. Overall, the respective rates of sexual harassment for academy women and men decreased significantly from the 56% and 12% measured in the *2010 SAGR* survey.

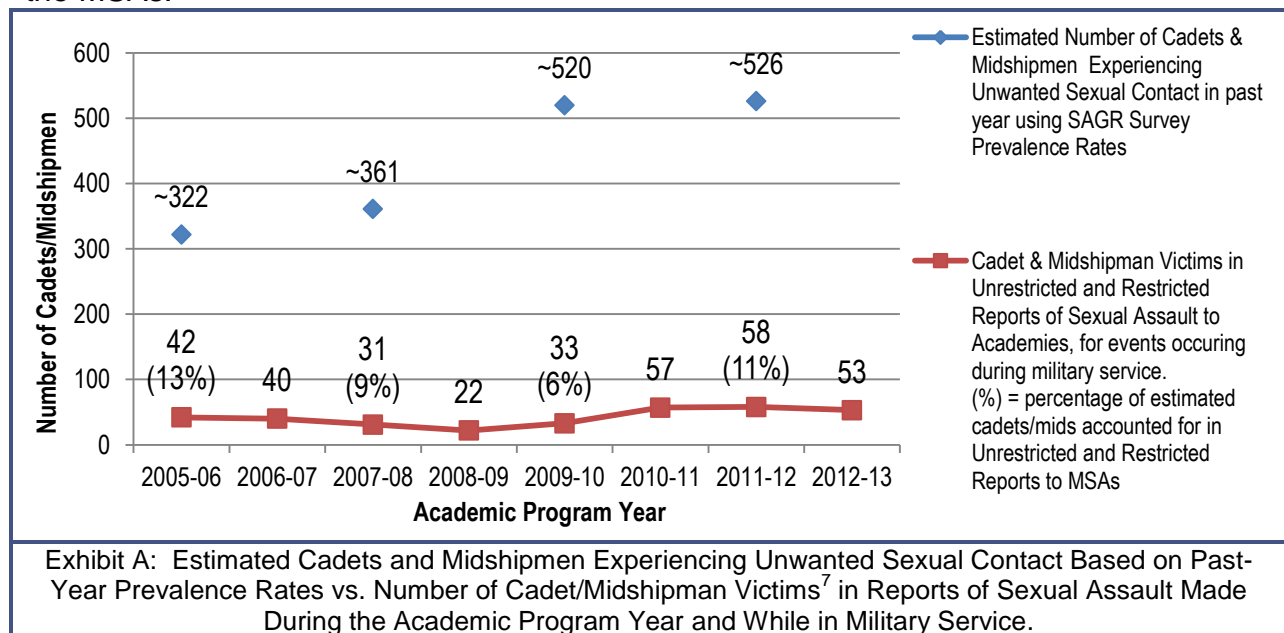
<sup>4</sup> The estimated number of cadet and midshipman victims is developed using the SAGR survey weighted estimated unwanted sexual contact prevalence rate across all genders and DoD MSAs (~4%), multiplied by the academy cadet/midshipman population at the time of the survey. It should be noted that the timeframe covered by the SAGR Survey question pertains to unwanted sexual contact experienced in the year prior to when the survey was conducted and does not always align exactly with the APY. As a result, the SAGR Survey victim numbers are only estimates, due to the variances in survey estimates associated with survey data and the slightly different timeframes. Nevertheless, the Department uses these estimates as an indicator of the degree of underreporting at each of the academies.

they were in military service.<sup>5</sup> Of the 53 reports, 89% involved cadet/midshipman on cadet/midshipman crime.

- An additional 5 reports involved civilian victims who reported being sexually assaulted by a cadet or midshipman.
- No unwanted sexual contact rate is available, as no survey was conducted during this academic program year. A survey is being fielded in 2014 to update past-year prevalence rates of unwanted sexual contact and sexual harassment.<sup>6</sup>

## Summary

The 53 victims who reported a sexual assault for an incident that occurred while they were in military service during APY 12-13 is less than the 58 victims that reported in APY 11-12. Because there was no survey to establish a prevalence rate for this past academic year, the Department cannot say with certainty whether the decrease in reporting this year at the MSAs was due to fewer assaults occurring, or due to fewer victims opting to report. Given focus group feedback, cadets and midshipmen feel that incidents would be taken seriously by MSA leadership and dealt with immediately. However, they remain concerned that reporting a sexual assault will impact their reputation and social standing with classmates. In the report that follows, the Department has made numerous recommendations that will help address perceptions that deter reporting, and advance and sustain an environment of dignity and respect at the MSAs.



<sup>5</sup> A total of 70 Unrestricted and Restricted reports were actually received, but 11 of the reports were for events that occurred to cadets and midshipmen before they entered military service; an additional 5 reports involved civilian victims who reported being sexually assaulted by a cadet or midshipman; and one cadet was the victim in two separate Unrestricted Reports. Civilian victim reports that involve a cadet or midshipman as the alleged offender are fully investigated, but are not included in this analysis so as to better provide an understanding of the victimization of cadets and midshipmen at the MSAs.

<sup>6</sup> The *Service Academy Gender Relations Survey* (SAGR) is conducted every two years, as directed by Section 532 of Public Law 109-364. Given the high number of surveys administered to cadets and midshipmen each year, Congress agreed to help the Department minimize survey fatigue by alternating surveys with focus groups, every other year. This year's assessment includes focus group feedback, which is described in the body of this report. Next year's assessment will include a survey.



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<sup>7</sup> This graph depicts the estimated number of cadets and midshipmen who experienced unwanted sexual contact in the past year (based on SAGR Survey prevalence rates), versus the number of cadet and midshipman victims in actual reports of sexual assault made to MSAs in the APYs indicated. Note that although 70 total sexual assault reports were received in APY 12-13, 11 of the reports were for events that occurred to cadets and midshipmen before they entered military service at the Academies; an additional five reports involved civilian victims who reported being sexually assaulted by a cadet or midshipman; and one cadet was the victim in two separate Unrestricted Reports, leaving 53 cadets/midshipmen. The remaining reports involved civilian victims who were reportedly assaulted by cadet or midshipman subjects. In addition, the survey-based estimates in this graph have been updated this year with more precise estimates from DMDC.

## EXECUTIVE SUMMARY

Section 532 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), requires the Department of Defense (DoD) to conduct an annual assessment of the Military Service Academies (MSA) to determine the effectiveness of policies, training, and procedures with respect to sexual harassment and sexual violence involving academy personnel. For Academic Program Years (APY) that begin in even-numbered years (e.g., APY 12-13), the Report is comprised of the Department's assessment, statistical data on sexual assault and sexual harassment, and the results of focus groups of cadets and midshipmen conducted by the Defense Manpower Data Center (DMDC).<sup>8</sup> In 2013, the Defense Manpower Data Center (DMDC) also conducted focus groups of faculty and staff to help inform this assessment.

The DoD Sexual Assault Prevention and Response Office (SAPRO) and the Office of Diversity Management and Equal Opportunity (ODMEO) use this annual assessment as an oversight tool to monitor improvement of the Department's Sexual Assault Prevention and Response (SAPR) and Prevention of Sexual Harassment (POSH) Programs at the MSAs. To that end, the assessment of the SAPR and POSH programs was organized by the lines of effort established in the DoD SAPR Strategic Plan approved in May 2013.

All three MSAs are in compliance with the Department's policies regarding sexual harassment and sexual assault for APY 12-13:

- The United States Military Academy (USMA) demonstrated improved oversight and leadership investment in developing, coordinating, and synchronizing SAPR efforts in many facets of cadet life during APY 12-13. USMA should continue to identify innovative measures to ensure prevention efforts are strong, ensure victims gain confidence to come forward and report, hold offenders appropriately accountable, and ensure proper support is offered to cadets throughout their time at the Academy.
- In APY 12-13, the United States Naval Academy (USNA) demonstrated a commitment to increasing awareness of sexual assaults and harassment at the Academy, developing and conducting high quality training, and improving the victim experience. The Department encourages USNA to continue the incorporation of sexual assault prevention learning objectives in academic curricula, and to develop and implement metrics that measure prevention and program effectiveness.
- The United States Air Force Academy (USAFA) renewed its focus in APY 12-13, led by the Commandant of Cadets, on leadership development and adherence to

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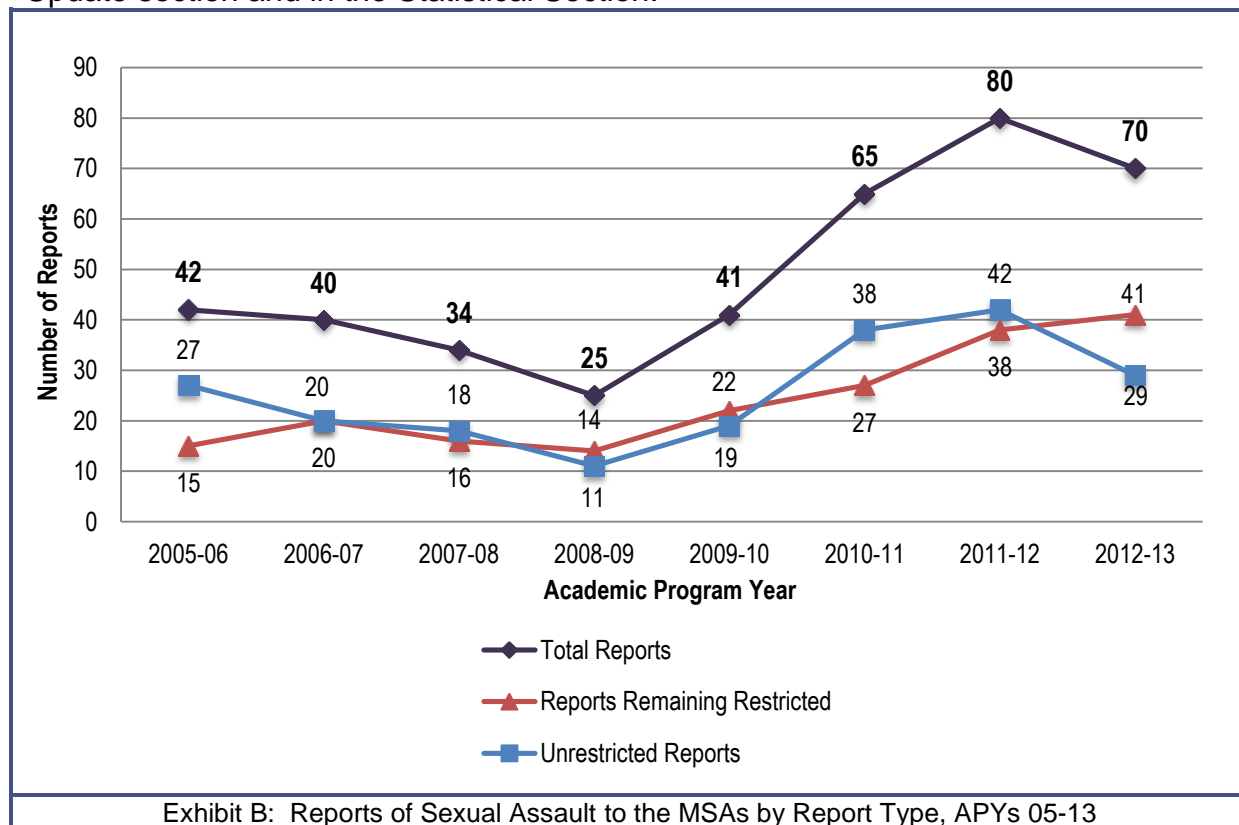
<sup>8</sup> The 2013 Service Academy Gender Relations Focus Group Report is provided in its entirety as a separate document and posted at <http://www.sapr.mil/index.php/research>

standards. USAFA also implemented the Air Force Special Victims Counsel program mid-way through APY 12-13, providing confidential legal advice, assistance, and representation to victims of sexual assault. USAFA should continue to focus on these efforts, take steps to improve central coordination of their initiatives, and ensure the SAPR staff is resourced appropriately and able to provide consistent victim support and services.

There were a total of 70 reports of sexual assault to the MSAs during APY 12-13:

- As depicted in Exhibit B below, 29 of these reports were Unrestricted Reports and 48 reports were Restricted.<sup>9,10</sup> Seven of the Restricted Reports were subsequently converted to Unrestricted Reports at the victims' request, leaving 41 reports remaining Restricted.
- Seven of the 41 Restricted Reports and four of the 29 Unrestricted Reports were for incidents that occurred prior to the victims entering military service.

Greater detail about trends in reporting are summarized in the preceding Key Findings Update section and in the Statistical Section.



<sup>9</sup> An Unrestricted Report of sexual assault is a report that is provided to command and/or law enforcement for investigation.

<sup>10</sup> Restricted Reporting allows victims to confidentially access medical care and advocacy services without triggering an investigation.

The substantial increase in sexual assault reporting seen in the active force in Fiscal Year 2013 did not occur at the MSAs. In fact, overall reporting decreased from 80 reports in APY 11-12 to 70 reports in APY 12-13. Broken down by specific academy, reporting of sexual assault decreased at USMA and USAFA, by five and seven reports, respectively, but increased at USNA by two reports. Given that sexual assault is one of the most underreported crimes in the United States, the Department encourages all victims to report sexual assault. Reporting is the primary means by which the Department provides victims with desired support and services and holds offenders appropriately accountable. The MSAs need to strengthen their efforts to improve victim reporting and participation in the military justice process.

DMDC conducted focus groups at all three MSAs in the Spring of APY 12-13 covering topics such as sexual assault, sexual harassment, reporting, leadership, training, and culture change. For the first time, DMDC conducted focus groups of academy faculty (civilian and military), coaches and activity leaders, and military cadre [company/squadron officers, training non-commissioned officers (NCO)] in addition to the cadets and midshipmen. Although focus group results cannot be generalized to all cadets and midshipmen, faculty, and staff at each of the MSAs, the findings serve as illustrations of situations and themes for consideration as academy officials review the SAPR and POSH programs.

Two of the MSAs (USMA and USAFA) did not complete all the recommendations and action items from the APYs 08-09 and 10-11 reports. The MSAs must address these remaining five recommendations and action items in a timely manner. This assessment also includes a number of additional items for program improvement at all three MSAs. The academies are tasked with submitting an update on all existing and new recommendations with their self-assessments for the APY 13-14 MSA Report.

This assessment found that leadership at all three MSAs remains firmly committed to fostering cultures of dignity and respect, where the cadets, midshipmen, and those that support them work together to prevent disrespectful and criminal behavior, and negate the opportunity for sexual assault.

Based on past survey data, focus group feedback, and assessment observations made by the Department, cadets and midshipmen acknowledge that academy leadership take reports of sexual assault seriously and respond appropriately. In addition, the vast majority of cadets and midshipmen generally appear to support the values of mutual respect and dignity. However, at each of the three academies there is evidence that some cadets and midshipmen disregarded academy policies and practices in these areas and engaged in gender-related misbehavior and misconduct, targeting fellow cadets and midshipmen as the focus of crude and offensive language and sexist comments. Each academy's leadership took steps to address the inappropriate behaviors and criminal activity that came to its attention. However, the use of email, social media, and other forms of electronic communication made external detection of such unacceptable behavior particularly difficult. An unfortunate aspect of this problem is that the unacceptable behavior of a very few was ignored, tolerated or condoned by



cadets and midshipmen who were aware of the misconduct. The same social forces that give cadets and midshipmen a collective sense of identity and purpose at a military academy also work to maintain the silence or complicity of peers when a few misbehave. When not challenged by peers, the few individuals engaging in the problem behavior set the new social norm, allowing the misbehavior and misconduct to perpetuate. The Department encourages the MSAs to set policies, enhance mentoring, and expand bystander intervention training to address how the institutions -- and cadets and midshipmen themselves -- can counter these damaging, gender-related behaviors and advance a culture of commitment to Service values as leaders of character for the Armed Services.

Common to all MSAs is a desire by some faculty and staff for greater involvement in prevention and response efforts. For this reason, all faculty, company/squadron officers, senior enlisted leaders, and staff who directly interact with cadets and midshipmen should receive an academy-modified version of their Service's Pre-command SAPR training prior to beginning of classes or within 30 days of reporting for duty.

Alcohol consumption remains a significant factor in reported sexual assaults. Of the 34 investigations of Unrestricted Reports completed during APY 12-13, 11 (32%) involved the use of alcohol by one or more parties. However, alcohol likely plays a much larger role than what is depicted in reported incidents. The most recent survey of cadets and midshipmen in 2012 found that alcohol use by the alleged offender and/or victim occurred in about 59% of situations of unwanted sexual contact.<sup>11</sup> The academies have policies that address individual drinking behavior, but more can be done to address alcohol service, sales, and availability. This past year, USNA leadership engaged alcohol-serving establishments in the community to request their assistance in ensuring responsible and legal use by midshipmen. The Department encourages each of the academies to review and update their alcohol policies to address factors beyond individual use, such as training of providers/servers, alcohol availability, and community outreach.

As sexual assault and sexual harassment prevention and response initiatives continue to develop and evolve, a centrally coordinated plan is required to ensure program thoroughness and completeness. As the Department established its SAPR Strategic Plan, and as the Services have developed new SAPR Strategic Plans in alignment with the DoD plan, the MSAs should develop their own SAPR Strategic Plans. The MSA plans should be organized and executed under the supervision of staff that reports to the Superintendent. Along with this strategic plan, the MSAs must implement meaningful program performance measurement and metrics to ensure all related efforts achieve the goals for which they were designed. The command climate assessments directed by the Secretary of Defense in 2013 serve as a steady source of data the MSAs should use to inform these metrics.

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<sup>11</sup> *Unwanted sexual contact* (USC) is the survey term that describes the crimes in the Uniform Code of Military Justice (UCMJ) that constitute sexual assault, which range from penetrating crimes such as rape to non-penetrating crimes such as abusive sexual contact.

The following recommendations apply to all three MSAs. Recommendations for each individual MSA are contained within their respective report sections.

1. Employ purposeful and direct engagement with leaders and supervisors of teams, clubs, and other organizations to advance a climate of dignity and respect.
2. Identify and innovate solutions to address concerns of social retaliation among peers for reporting sexual assault or for taking action against inappropriate conduct.
3. Provide influencers with the skills, knowledge, and commitment to effect ongoing mentorship and reinforcement to prevent sexual harassment and assault.
4. Provide an MSA-modified version of its Service's pre-command training for all faculty, company / squadron officers, and senior enlisted leaders.
5. Integrate Service Command Climate Assessment process into cadet/midshipmen unit structure.
6. Submit locally produced sexual harassment related training plans to Defense Equal Opportunity Management Institute (DEOMI) for review.
7. Develop and implement sexual harassment and sexual assault learning objectives into related classes within core academic curricula.
8. Review and systematically expand alcohol policies to address risk factors beyond the individual use of alcohol.
9. Develop and implement a sexual harassment and assault prevention and response strategic plan, centrally coordinated, executed, and assessed by staff that report directly to the superintendent.
10. Develop and implement metrics and assessment strategies to evaluate and regularly report progress in sexual harassment and assault prevention and response.

All MSA SAPR and POSH programs are compliant with current DoD policy; compliance alone cannot advance and sustain a culture of dignity and respect. Effective policy must go hand in hand with strategic plans and initiatives that drive culture change, improve reporting, advance prevention, and build victim confidence in response systems. The training that each MSA employs to counter sexual assault and harassment must produce lasting and measureable change to the knowledge, skills, and/or attitudes of the trainee. Policies must be continually reviewed and updated to drive responsible and respectful behavior by all in the MSA environment. MSA leadership must sustain and expand training and policy efforts to prevent sexual harassment and sexual assault, as well as the disrespectful behaviors and attitudes that predicate both forms of misconduct. The MSAs must increase their focus on identifying and countering peer pressures that ignore, tolerate or condone misbehavior or misconduct, and advancing a climate of professionalism and respect, wherein cadets and midshipmen take responsibility for adhering to Service core values and develop into leaders of character that service in the profession of arms demands.

## ACTIONS TAKEN SINCE REPORT CLOSEOUT

This report documents the status of policies and programs to address sexual harassment and violence at the MSAs during APY 12-13, which ended on May 31, 2013. However, in the six months since the APY concluded, the MSAs have taken additional measures to advance a climate of dignity and respect.

### UNITED STATES MILITARY ACADEMY

#### Line of Effort (LOE 1): Prevention

- To review and strengthen leadership oversight of student groups, the Superintendent has met with all company commanders, regimental commanders, the brigade staff, the cadet honor, respect, and cadets against sexual harassment and assault (CASH/A) committees to address leadership responsibilities, including establishing positive command climates based on dignity and respect for all, as well as reinforcing what "right looks like" grounded in regulatory guidance as well as personal experience. He addressed the same during his briefings to the staff and faculty at the beginning of first semester. He will do the same for second semester as well as continue his meetings with cadet groups. A Gettysburg staff ride focusing on leadership is being planned for second semester for all team captains.
- USMA has obtained copies of other Major Command's specific pre-command training and is writing one for USMA. For those who arrive off cycle, the training slides will be available and tracked on the G3 training site.
- To communicate sexual assault incidents and sexual harassment cases for cadets and the West Point Community, USMA uses several venues to share information including command and staff meetings, staff and faculty updates, and through the cadet CASH/A newsletter. Future plans include, with guidance from PAO and SJA, the use of the West Point Facebook page as well as a page to be established on the USMA SHARP website.
- To conduct outreach to the alumni and athletic communities, the Superintendent routinely meets with various alumni organizations to discuss expectations from alumni groups, donors, as well as cadets. The USMA Sexual Assault Response Coordinator (SARC) provided a class to the Association of Graduates on SHARP specific requirements. In September 2013, the command leadership met with representatives from the USMA class of 1983 to address concerns and misunderstandings they had regarding the SHARP program. This conversation helped shape our SHARP summit conducted in October 2013, which included cadets, graduates from each decade since 1980, a USNA representative, and local community agencies. The summit provided invaluable feedback and will help USMA to shape its future SHARP strategy as well as provide a communication venue for alumni.

### **LOE 3: Accountability**

To ensure all legal assistance attorneys receive specialized sexual assault training, USMA sent its two newly assigned special victim counsel attorneys to victim counsel specific training.

### **LOE 4: Victim Advocacy**

- USMA removed the reference to the Chaplain as a restricted reporting source from the Corps of Cadets' intranet website.
- USMA continues to conduct Sexual Assault Response Team (SART) training across all SARCs and SAPR VAs at West Point.
- USMA SARC is working through USMA Equal Opportunity (EO) to ensure that all sexual harassment training receives DEOMI coordination.

### **LOE 5: Assessment**

- The USMA SARC, Ms. Laurie Barone, has the primary responsibility to develop, implement and track metrics across West Point as well as maintaining ongoing metric coordination with other service academies and Tufts University.
- USMA is currently performing a command climate survey in accordance with the most recent Secretary of Defense guidance.

## **UNITED STATES NAVAL ACADEMY**

### **LOE 1: Prevention**

#### *Leader Engagement*

- Gettysburg Leadership Retreat (July 2013) executed by sports team captains, company commanders, and brigade leaders. This venue provided an opportunity to discuss attributes and expectations of a leader, with sexual harassment and sexual assault one of several central themes. Superintendent, Commandant, and Athletic Director reinforced concepts.
- Code of Conduct, with expected behavior standards, signed by all athletes.
- Superintendent met with each of 33 varsity sports teams (August – October 2013) to reinforce expectations.
- Commandant's "Be Excellent" initiative with emphasis on reinforcing positive Midshipmen behaviors.
- SAPRO meeting with faculty, coaches, and officer representatives to further engage them as stakeholders.
- SAPRO training and engagement at Company Officer and Battalion Officer level.

#### *Responsible Alcohol Use*

- Increased and improved use of Shore Patrol in downtown Annapolis.
- Engagement by Superintendent and Commandant with local businesses.
- Participation with colleges in the Maryland Collaborative to Reduce College Drinking and Related Problems to share best practices and strategies to decrease irresponsible alcohol use.



- Use of real scenarios from previous USNA sexual harassment and sexual assault cases, also referred to as “XYZ cases”, to provide Brigade the facts surrounding recent alcohol related incidents in a company level forum.

#### *Embed SAPR education and training into Core Curriculum*

- 1st Class Capstone Course includes sexual harassment and sexual assault (APY 12-13).
- Starting August 2013, 3rd Class and 2nd Class leadership courses incorporated sexual harassment and sexual assault principles including dignity and mutual respect, bystander intervention case studies.
- 4th Class Preparing to Lead curriculum modified October 2013 for January 2014 implementation.

#### *Prevention Strategies*

- Conducted a SAPR Stand-down (June – September 2013) for all midshipmen, faculty, staff and coaches.
- Chaplains delivered Interpersonal Relationship Training to the incoming class of Plebes. This training included a discussion of sexual assault and means to combat it.
- Building transparency and trust through the first-time use of “XYZ Cases” which included a complete look at all factors of past USNA sexual harassment and sexual assault cases.
- Optional Locked Door Policy reinforced with entire Brigade.
- Enhanced watch standing on weekend nights to improve safety of the Brigade, including additional roving watches through living spaces from 2300-0600 hours and additional watches at external gates to the Academy.
- As part of an aggressive alcohol de-glamorization campaign, implemented Alcohol Detection Devices across the Brigade and provided Portable Alcohol Detection Devices in the Midshipmen Store. Incorporated alcohol training in Sponsor family training and the Sponsor Memorandum of Understanding.
- Completed annual command climate survey for staff personnel, with appropriate follow-up to ensure the staff creates a proactive, positive culture that fosters core values and ethical behavior.

#### *Outreach Strategies*

- Superintendent and Commandant discussions with civilian universities to discuss best practices.
- Sponsor education regarding responsible use of alcohol and SAPR issues.

#### *Developing Partnerships throughout USNA*

- Admission’s Candidate Weekend Visit brief to Parents (October 2013) and “SAPR Brown Bag Lunch Series” (October 2013 – present) with faculty and staff.

## **LOE 4: Victim Advocacy**

### *Advocacy & Victim Support*

- As part of the larger Victim and Witness Assistance Program, assigned fully trained Victim Witness Assistance Coordinator (VWAC).
- All victim advocacy personnel moved to office spaces outside Bancroft Hall, the primary residential area at USNA, to increase ease of access and confidentiality.
- Bill of Rights and VWAC contact information posted in appropriate locations to ensure Midshipmen awareness of rights and services.
- A Chaplain is assigned to each of the six battalions in the Brigade of Midshipmen. These Chaplains routinely provide confidential care to Midshipmen, to include counseling and referral services delivered to the victims of sexual assault.
- Three USNA Chaplains participated in the Chaplain Corps Professional Development Training Course validation on Pastoral Care in the Case of Military Sexual Assault.
- Funding has been set aside to ensure all Chaplains participate in this training.
- All six USNA Chaplains participated in SAPR refresher training to ensure they have updated knowledge and skills related to sexual assault prevention and response.

## **LOE 5: Assessment**

- The Department of the Navy (DoN) SAPRO and USNA conducted midshipmen focus groups in November 2013 to provide “pulse check” on SAPR efforts since January 2013. A total of 940 midshipmen were surveyed in groups of 20. Findings being assessed and will be incorporated into USNA SAPR program.

### *Strategic Plan Development*

- Established a Sexual Harassment/Sexual Assault Task Force to assess USNA culture, SH/SA education and response programs, including a detailed analysis by DoN SAPRO of USNA SAPR program. Task Force recommendations fully implemented and subsequent SAPR Advisory Panel created as a lasting advisory panel.
- Created a USNA SAPR Advisory Panel launched August 2013. This panel is comprised of a diverse group of faculty, staff, Chaplain, coaches and Midshipmen developing an overarching USNA SAPR Strategic Plan. Advisory Panel will remain in an advisory role, overseeing implementation and execution of the plan.

## **UNITED STATES AIR FORCE ACADEMY**

Since the Annual Report cycle closed May 31, 2013, USAFA has continued to partner with USAF activities and efforts, continued to evolve and improve its programs, and addressed many of the improvement areas identified during the DoD site visit last summer, which include:

## **LOE 1: Prevention**

- On June 24, 2013, USAFA conducted a USAF-directed SAPR Stand-down day. Cadets and staff participated in an event featuring opening comments from the Superintendent, Mr. Mike Domitrz speaking on the individual's role in setting climate and bystander intervention, followed by small group discussions. USAFA leaders also participate in the USAF monthly SAPR Council meetings and recently attended the CSAF SAPR Leadership Summit; both allowing USAFA to stay aligned with the larger USAF SAPR program.
- The SAPR office recently partnered with the faculty of the Department of Behavioral Science and Leadership (DFBL) and received a Mellon Foundation Grant to support cadet collaboration with Colorado College students on developing and implementing prevention and awareness programs such as the annual April Sexual Assault Awareness Month campaign.
- DFBL also committed to writing a white paper on sexual assault programs and best practices and sponsors a Distinguished Visiting Professor, Dr. Chris Kilmartin, who is teaching a course on Interdisciplinary Perspectives on Masculinity and advising on gender and SAPR topics across USAFA.
- The Superintendent is creating a position working directly for her that will serve as the focal point for diversity, inclusion, and the culture and climate challenges of today, bringing together leadership from across USAFA to consider and act on issues and opportunities associated with these areas at an institutional level.
- The 10th Air Base Wing (ABW) is leading an effort to reorganize the Community Action Information Board/Integrated Delivery System (IDS) process to look at the permanent party and cadet populations separately, better addressing the needs of both. The first cadet IDS meeting discussed an expanded membership to include cadets, faculty, coaches, and others to produce a USAFA-wide, cross-functional perspective on relevant issues.

## **LOE 4: Victim Advocacy**

- The USAFA SAPR Office is now fully staffed:
  - The two vacant, full-time SAPR Victim Advocate (VA) positions were filled, allowing for improved 24-hour victim support.
  - USAFA now has four volunteer SAPR VAs. With this additional manpower, the SAPR staff is coordinating with the 10 ABW to explore ways to better meet the needs of the non-cadet populations.
- A recent presentation by local rape crisis center personnel on the neurobiology of trauma and how it affects sexual assault victims.
- A monthly resource update for commanders with current reporting statistics and links to useful SAPR related websites.
- A sexual assault survivor's support group led by the cadet-counseling center.

## INTRODUCTION

### REPORT REQUIREMENT

Section 532 of the John Warner National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2007 (Public Law 109-364), requires an assessment at the Military Service Academies (MSA) during each Academic Program Year (APY). This assessment is to determine the effectiveness of the policies, training, and procedures of the academy with respect to sexual harassment and violence involving academy personnel at the:

- United States Military Academy (USMA);
- United States Naval Academy (USNA); and
- United States Air Force Academy (USAFA).

### DEFINITION OF SEXUAL HARASSMENT AND SEXUAL VIOLENCE (ASSAULT)

Department of Defense (DoD) Policy defines the term “sexual harassment” as a form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person’s job, pay or career; or submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or such conduct interferes with an individual’s performance or creates an intimidating, hostile or offensive environment.

The term “sexual violence,” herein referred to as “sexual assault,” is defined by policy as intentional sexual contact characterized by use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent. The crime of sexual assault includes a broad category of sexual offenses consisting of the specific Uniform Code of Military Justice (UCMJ) Articles 120, 125, and 80 offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy (forced oral or anal sex), or attempts to commit these acts. “Consent” means words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the accused’s use of force, threat of force or placing another person in fear does not constitute consent. A current or previous dating relationship or the manner of dress of the person involved with the accused in the sexual conduct at issue shall not constitute consent. There is no consent where the person is sleeping or incapacitated, such as due to age, alcohol or drugs, or mental incapacity.

### ASSESSMENT PROCESS

As directed by the FY07 NDAA, the Military Service Academy assessment consists of different activities in odd and even APYs:



- In APYs beginning in odd-numbered years (e.g., APY 11-12), the annual assessment consists of an academy's self-assessment and an anonymous survey of cadets and midshipmen. This survey, the biennial Defense Manpower Data Center (DMDC) *Service Academy Gender Relations (SAGR) Survey* covers topics such as incidence of unwanted sexual contact and harassment, reporting and training, and characteristics of the unwanted sexual and gender-related behaviors.
- In APYs beginning in even-numbered years (e.g., APY 12-13), the DoD Sexual Assault Prevention and Response Office (SAPRO) and the Office of Diversity Management and Equal Opportunity (ODMEO) review the academies' self-assessments from the previous year, conduct site visits to each MSA, and analyze a data call consisting of the MSA's policies, trainings, and outreach materials. Also included in even numbered APY Reports are the results of the biennial DMDC *SAGR Focus Group Report* covering topics such as sexual assault, sexual harassment, reporting, leadership response, training, and bystander intervention.

From this, the Department wrote a report for each academy, which includes:

- An assessment of the academy's policies, training, and procedures regarding sexual harassment and sexual assault involving cadets and midshipmen;
- An evaluation of program effectiveness;
- The number of reports of sexual harassment and assault;
- *2013 SAGR Focus Group* findings; and
- An analysis of progress made from previous reports.

This report also includes an analysis of the aggregate sexual assault statistics and the full *2013 SAGR Focus Group Report*.<sup>12</sup> This serves as the Department's *Annual Report on Sexual Harassment and Violence at the Military Service Academies* covering APY June 1, 2012 through May 31, 2013.

## LINES OF EFFORT

The Department uses this report as an oversight tool to monitor improvement of the Department's Sexual Assault Prevention and Response (SAPR) and Prevention of Sexual Harassment (POSH) programs at the MSAs. To that end, the Report is organized by the lines of effort established in the *2013 DoD SAPR Strategic Plan* signed by the Secretary of Defense in May 2013. These lines of effort are:

1. Prevention
2. Investigation
3. Accountability
4. Advocacy/Victim Assistance
5. Assessment

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<sup>12</sup> The *2013 Service Academy Gender Relations Focus Group Report* is provided in its entirety as a separate document and posted at <http://www.sapr.mil/index.php/research>

The Department applied these same lines of effort to SAPR programs at the academies. While the DoD SAPR Strategic Plan was published midway through the APY 12-13, the lines of effort closely align with the priorities in the DoD SAPR Strategic Plan from 2009, which organized previous program assessment reports. For all five lines of effort, the Report notes practices to *Sustain*—highlighting promising practices<sup>13</sup> and/or where the academy exceeds, and practices to *Improve*—identifying areas of improvement or where implementation of the policy or program can be adjusted or enhanced during APY 13-14 and beyond.

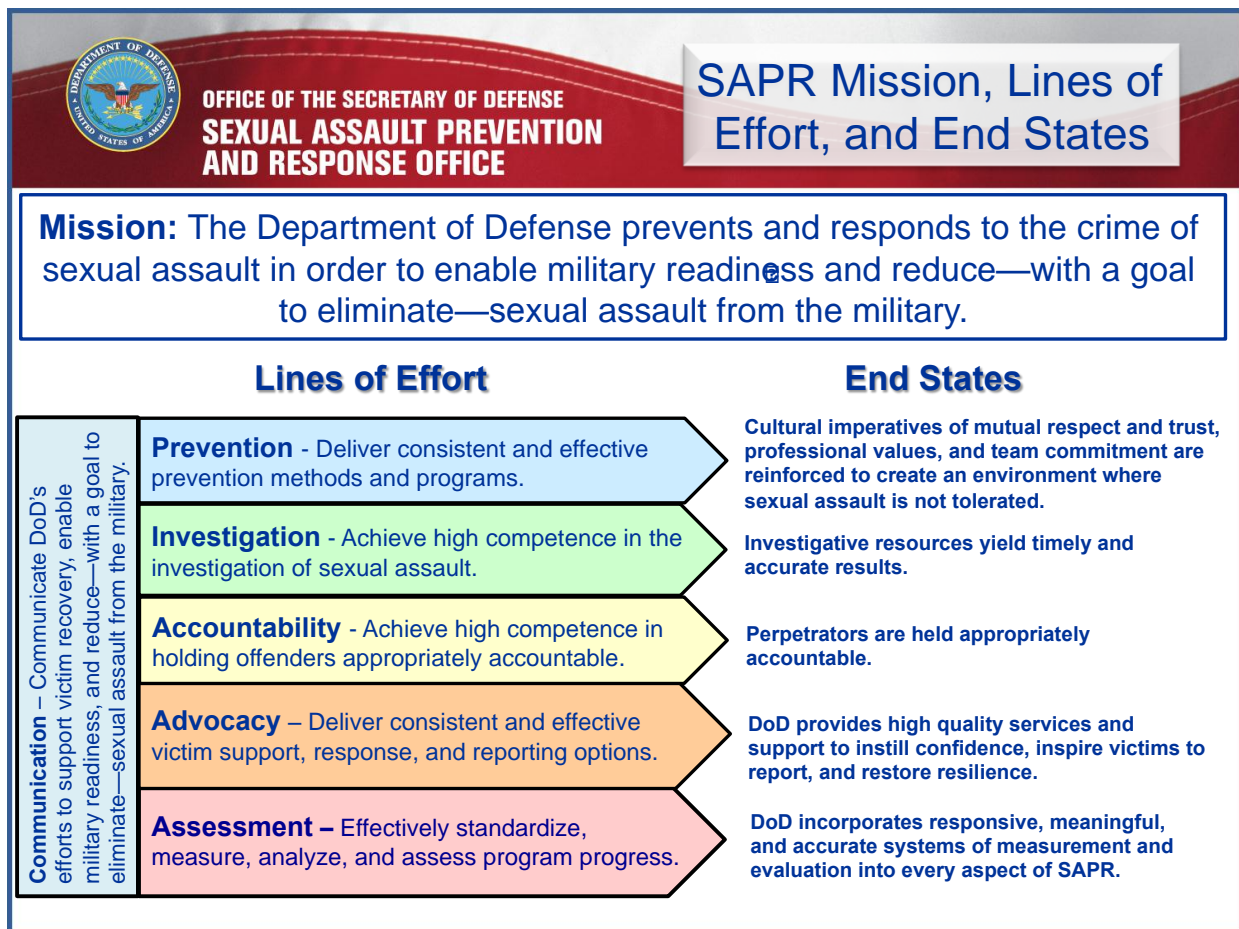


Figure 1: The Lines of Effort That Organize the 2013 DoD-wide Strategic Plan

## DMDC Focus Groups

DMDC conducted focus groups at all three MSAs in the Spring of APY 12-13 as part of the *2013 SAGR Focus Group Report*.<sup>14</sup> Cadets and midshipmen focus groups were conducted at each academy by gender and class year with one mixed-gender session.

<sup>13</sup> Promising Practice—Identified practice that has worked within at least one organization and shows promise during its early stages for becoming a best practice with long term sustainable impact; some basis for claiming effectiveness.

<sup>14</sup> The *2013 Service Academy Gender Relations Focus Group Report* is provided in its entirety as a separate document and posted at <http://www.sapr.mil/index.php/research>

For the first time, DMDC also conducted sessions with academic faculty (military and civilian), coaches and activity leaders, and military cadre (company/squadron officers, training noncommissioned officers (NCOs)).

DMDC qualitatively analyzed data from the focus groups for major themes and ideas conveyed across the sessions. Where cadets and midshipmen, faculty, and staff differed in their opinions on a topic, differing perspectives are presented in separate findings. Analysts used a combination of topical coding and repeated reviews to gather specific comments that supported the emerging themes. Although focus group results cannot be generalized to all cadets and midshipmen at each of the MSAs, the themes serve as illustrations of situations and attitudes for consideration in the assessment of the SAPR and POSH programs. These themes are presented, where applicable, for each line of effort. Although there are commonalities in the results from each MSA, no attempt was made to compare or generalize findings across all three MSAs.

The full *2013 SAGR Focus Group Report* describes the methodology and procedures used to develop the questions, select the participants, conduct the focus groups, analyze the data, identify and categorize topics and themes, and organize the findings in a report.

## STATISTICAL DATA ON SEXUAL HARASSMENT AND ASSAULT

### BACKGROUND

#### WHAT IT CAPTURES

##### Reports of Sexual Assault

- DoD sexual assault data captures the Unrestricted and Restricted Reports of sexual assault made to the MSAs during APY 12-13.
- In the context of the DoD statistics that follow, an Unrestricted Report of sexual assault is an allegation by one or more victims against one or more suspects (referred to in the Department as “subjects of investigation” or “subjects”) that will be referred for investigation by a Military Criminal Investigative Organization (Army Criminal Investigations Division, Naval Criminal Investigative Service, or Air Force Office of Special Investigations).
- Data on Restricted Reports is limited because these are reports of sexual assault made to specified individuals within the Department (i.e., SARC, SAPR VA, or healthcare provider) that allow the report to remain confidential and allow the victim to seek care and services. Given the victim’s desire for confidentiality, these reports are not investigated. Victims are not required to provide many details about these sexual assaults. As a result, only data about the victim and very limited data about the offense are recorded in Restricted Reports. In Restricted Reports, the Department does not request or maintain subject identities in Restricted Reports.
- The Department’s sexual assault reporting statistics include data about contact sexual crimes by adults against adults, as defined in Articles 120, 125, and 80 of the UCMJ, and represent a range of penetrating and non-penetrating sexual crimes. The data in this document involves only cadets and midshipmen as either a victim or a subject of a sexual assault investigation. Data about sexual assault reports in the U.S. Armed Forces in general is released each spring (April), and is available at <http://www.sapr.mil/index.php/annual-reports>.
- The DoD uses the term “sexual assault” to refer to a range of contact and penetrating sexual crimes between adults, as defined by the UCMJ, including rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy (forced oral or anal sex), or attempts to commit these acts.
  - When a report is listed under a crime category, it means the crime was the most serious of the infractions reported by the victim or investigated by investigators. It does not necessarily reflect the final findings of the investigators or the crime(s) addressed by court-martial charges or some other form of disciplinary action against a subject.
  - The number of sexual assaults reported to MSA authorities in APY 12-13 *does not* necessarily reflect the number of sexual assaults that may have occurred in that APY.

- Civilian research indicates victims only report a small fraction of sexual assaults to law enforcement. For the estimated 673,000 U.S. civilian college-aged women who experienced nonconsensual vaginal, oral, or anal penetration, only about 77,395 (11.5%) reported it to the police.<sup>15</sup> This finding is supported by a similar study of a college sample that found that only 2 to 13% of women who experienced penetrating and contact sexual crimes during their four-year college career reported the matter to law enforcement.<sup>16</sup>
- This reporting behavior is mirrored in the U.S. Armed Forces. Over the past six years, the Department estimates that fewer than 15 percent of military sexual assault victims report the matter to a military authority. For more information, refer to the FY12 Report, available at <http://sapr.mil/index.php/annual-reports>. Estimated reporting rates to DoD authorities at the MSAs in APY 11-12 ranged from 5 to 28 percent.

### **Subject Dispositions**

- Once the investigation of an Unrestricted Report is complete, the Department requires the MSAs to provide the outcome of the cases with respect to each subject named in an investigation. These are called “subject dispositions.”
- The Department holds those Service members who have committed sexual assault appropriately accountable based on the available evidence.
- Legal authority for the Department is limited to Service members who are subject to the UCMJ and, therefore, its military justice jurisdiction. Cadets and midshipmen are Service members and are under the legal authority of the UCMJ. Except in rare circumstances in deployed environments, a civilian is not subject to the UCMJ for the purpose of court-martial jurisdiction or other military justice discipline.
- Each year, the Department lacks jurisdiction over some subjects in its investigations.
  - Local civilian authorities in the U.S. and our host nations<sup>17</sup> hold primary responsibility for prosecuting U.S. civilians and foreign nationals, respectively, who perpetrate sexual assault against Service members.
  - In a number of cases each year, a civilian authority will assert its legal authority over a Service member. This typically occurs when Service members are accused of sexually assaulting a civilian.

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<sup>15</sup> Kilpatrick, D., Resnick, H., Ruggiero, K., Conoscenti, L., and McCauley, J. (2007). *Drug-facilitated, incapacitated, and forcible rape: A national study*. Washington, DC: U.S. Department of Justice.

<sup>16</sup> Krebs, C., Lindquist, C., Warner, T., Fisher, B., and Martin, S. (2007). *The Campus Sexual Assault Study*. Washington, DC: U.S. Department of Justice.

<sup>17</sup> This year, there were no sexual assault reports committed against a cadet or midshipmen by a foreign national or while they were on training missions overseas.



- A civilian authority, such as a state, county or municipality, may prosecute Service members anytime they commit an offense within its jurisdiction. The civilian authority may agree to let the military exercise its UCMJ jurisdiction to prosecute the Service member. Service member prosecutions by civilian authorities are made on a case-by-case and jurisdiction-by-jurisdiction basis.
- When the DoD has jurisdiction over the subject, the subject's military commander, in concert with a military attorney, is responsible for reviewing the results of the independent military criminal investigative office investigation and taking appropriate action when supported by sufficient evidence. In June 2012, the Secretary of Defense directed that subject disposition decisions for the crimes of rape, sexual assault, and nonconsensual sodomy be made at the Special Court Martial Convening Authority level (typically a Colonel or Navy Captain or higher). At the MSAs, the Superintendent (a Lieutenant General or a Vice Admiral) is the case disposition authority.
  - Commanders at all levels do not make such decisions by themselves. Military attorneys assist commanders in identifying the charges that can be made, the appropriate means of addressing such charges, and punishments that can be administered if supported by the evidence.
  - There are many cases each year when disciplinary action is precluded (i.e., not possible) due to legal issues or evidentiary problems with a case. For example, when the investigation fails to show sufficient evidence of an offense to prosecute or when the victim declines to participate in the justice process, a commander may be precluded from taking disciplinary action against a subject.
- In the data that follows, when more than one disposition action is involved (e.g., when nonjudicial punishment is followed by an administrative discharge), subject disposition is only reported once per subject. This is done according to the most serious disciplinary action taken, which in descending order is preferral of court-martial charges, nonjudicial punishment, administrative discharge, and other adverse administrative actions. At the MSAs, adverse administrative actions include the cadet/midshipman disciplinary system.

## WHOM IT DESCRIBES

- Unrestricted and Restricted Reports capture sexual assaults committed by and against Service members. In this document, sexual assault reports primarily involve cadets and midshipmen. However, people outside of the U.S. Armed Forces sometimes victimize a Service member or can be victimized by a Service member. Information describing these victims and subjects is also included in the following statistics.
- An Unrestricted Report of sexual assault can include one or more victims, one or more subjects, and one or more crimes. Therefore, the number of reports does not equal the number of victims or the number of subjects.

- Restricted Reports, by policy, only involve one victim per reported incident. In Restricted Reports, no personally identifying information is maintained for alleged subjects. Personally identifying data for victims is not maintained in the Defense Sexual Assault Incident Database.
- Demographic information on victims and subjects is only drawn from *completed investigations* of Unrestricted Reports and from SARC records of victims in Restricted Reports.

## WHEN IT HAPPENED

- The information in this report is drawn from sexual assault reports made to the MSA authorities during APY 12-13 (June 1, 2012 to May 31, 2013).
- The data that follows is a snapshot in time. In other words, the following information describes the status of sexual assault reports, investigations, and subject dispositions on May 31, 2013—the last day of APY 12-13.
- Some investigations extend across APYs. For example, it often takes several months to investigate a report of sexual assault. As a result, those investigations that were opened toward the end of the APY typically carry over to the next APY. Therefore, the information presented in this report is not linear, meaning that the number of sexual assault reports received during the year will not be equal to the number of completed investigations during the year.
- Subject disposition decisions can also extend across APYs. As a result, a portion of dispositions is “pending” or not yet reported at the end of the year. The Department tracks these pending dispositions and requires the Military Services to report on them in subsequent years’ reports.
- Under the Department’s SAPR Policy, there is no time limit as to when someone can report a sexual assault to a SARC or MCIO. Thus, in any given year, the Department may not only receive reports about incidents that occurred during the current year, but also incidents that occurred in previous years or prior to military service.

## HOW IT IS GATHERED

- Data about Unrestricted Reports of sexual assault is drawn from official investigations conducted by the MCIOs. Academy SARCs collect data about Restricted Reports of sexual assault.
- Each APY, the Under Secretary of Defense for Personnel and Readiness submits a data call to the MSAs to collect the required statistical and case synopsis data. DoD SAPRO aggregates and analyzes this data.

## WHY IT IS COLLECTED

- Congress requires data about the number of sexual harassment and sexual assault reports and the outcome of the allegations made against each subject.
- The Department also collects this data to inform SAPR policy, program development, and oversight.

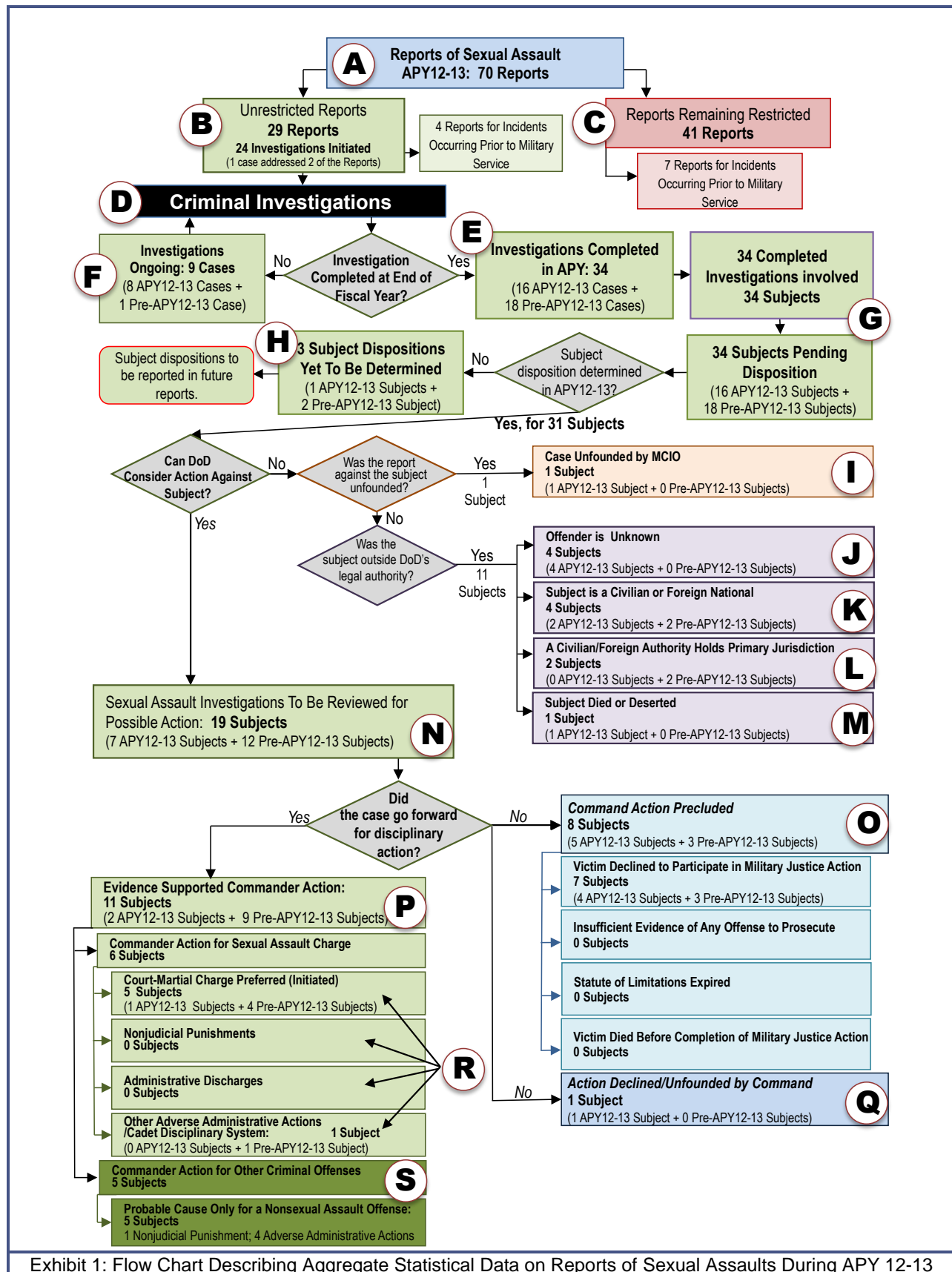


Exhibit 1: Flow Chart Describing Aggregate Statistical Data on Reports of Sexual Assaults During APY 12-13

## AGGREGATE STATISTICAL DATA ON SEXUAL HARASSMENT AND ASSAULT

### SEXUAL ASSAULT

This section closely follows the flow chart shown in Exhibit 1. Points in the flow chart have been labeled with a letter that corresponds to the information in the text that follows.

In APY 12-13, a total of 70 reports of sexual assault were made to the MSAs (Exhibit 1, Point A), representing a decrease of 10 reports from APY 11-12. Eleven of the reports were for incidents occurring prior to the cadets/midshipmen entering military service.

- The MSAs received 29 Unrestricted Reports involving cadets and midshipmen as either the victim or subject of a sexual assault investigation (Exhibit 1, Point B).
  - For one subject, there were two Unrestricted Reports involving separate victims. These two Unrestricted Reports were addressed by a single investigation by an MCIO.
  - Four Unrestricted Reports were made by victims for incidents of sexual assault that occurred prior to their entry into their respective academies. These Unrestricted Reports involved alleged perpetrators outside the jurisdiction of the military.
  - The Military Criminal Investigative Organizations opened 24 investigations this APY, based on Unrestricted Reports of sexual assault.<sup>18</sup>
- The MSAs initially received 48 Restricted Reports involving cadets and midshipmen as victims of sexual assault.
  - Seven of the Restricted Reports later converted to Unrestricted Reports, leaving 41 Restricted Reports remaining at the end of APY 12-13 (Exhibit 1, Point C).
  - Seven reports of the Restricted Reports were for an incident of sexual assault that occurred prior to the cadet or midshipman entering military Service. The remaining 41 Restricted Reports were for incidents that occurred during military service.
- In the 70 reports to MSA authorities this year, 64 cadets and midshipmen reported they had been the victim of some form of sexual assault, ranging from rape to unwanted sexual touching.
  - 23 cadets and midshipmen made or converted to an Unrestricted Report.
    - An Unrestricted Report of sexual assault can include one or more victims, one or more subjects, and one or more crimes. Therefore, the number of reports received in a given year does not usually equal the number of victims or the number of subjects in those reports.

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<sup>18</sup> A comprehensive explanation of all investigations opened and/or closed during APY 12-13 is below, beginning on page 28.



- 41 cadets and midshipmen made and maintained Restricted Reports.

The following section describes aggregate data about sexual assault at the academies.

While reports of sexual assault have fluctuated since the Department started keeping track of MSA data in APY 04-05, the MSAs show an overall upward trend in victim reports of sexual assault since APY 08-09, however this year the academies received ten fewer reports of sexual assault than last year. Although one sexual assault is too many, the overall increase in victim reporting behavior since APY 08-09 is consistent with the Department's goal to bring more victims forward to report the crime. When Service members report sexual assaults, the Department is better positioned to provide restorative care and advocacy to victims and hold those who commit sexual assault appropriately accountable. Exhibit 2a shows the total number of sexual assault reports made to the MSAs over the past eight APYs.

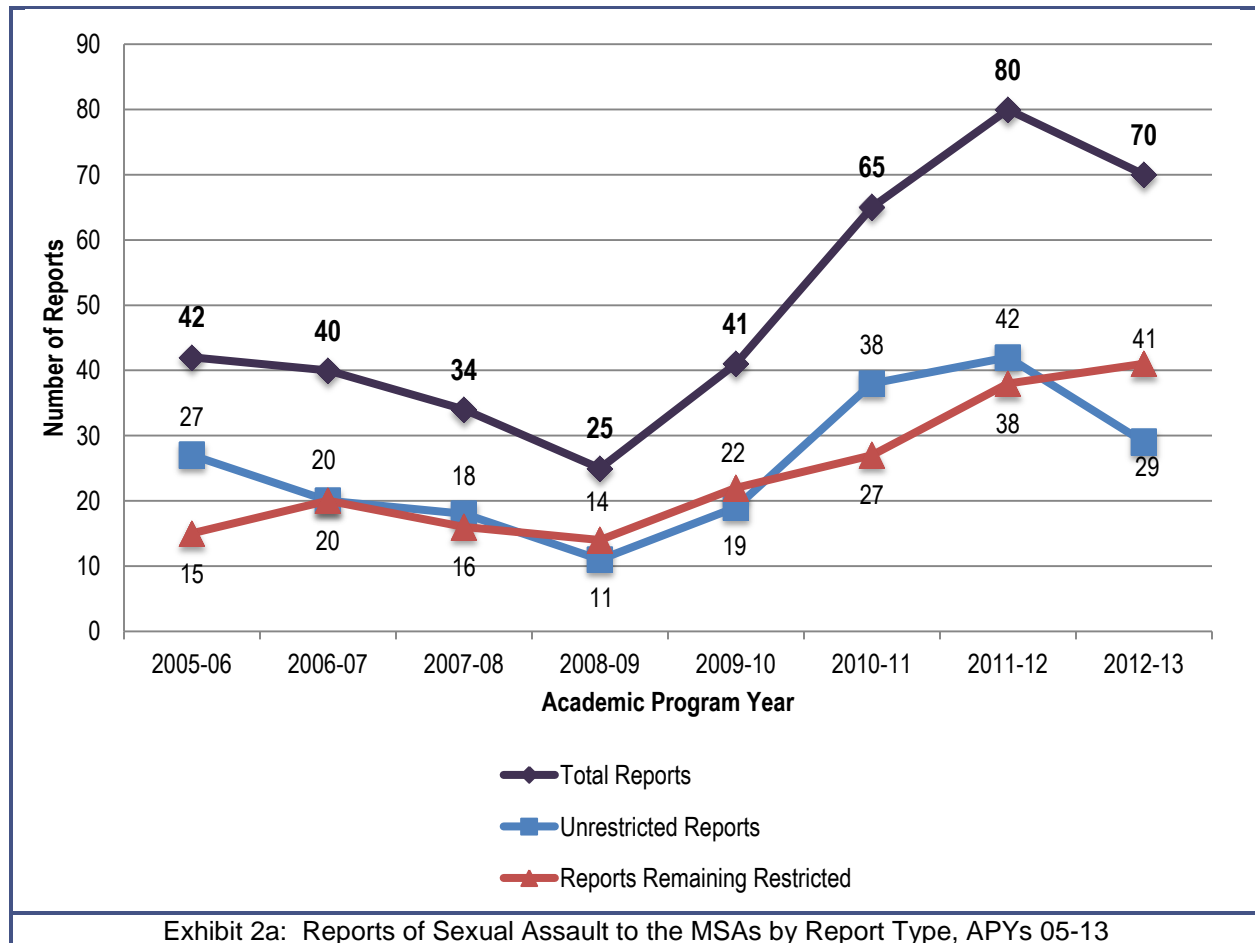
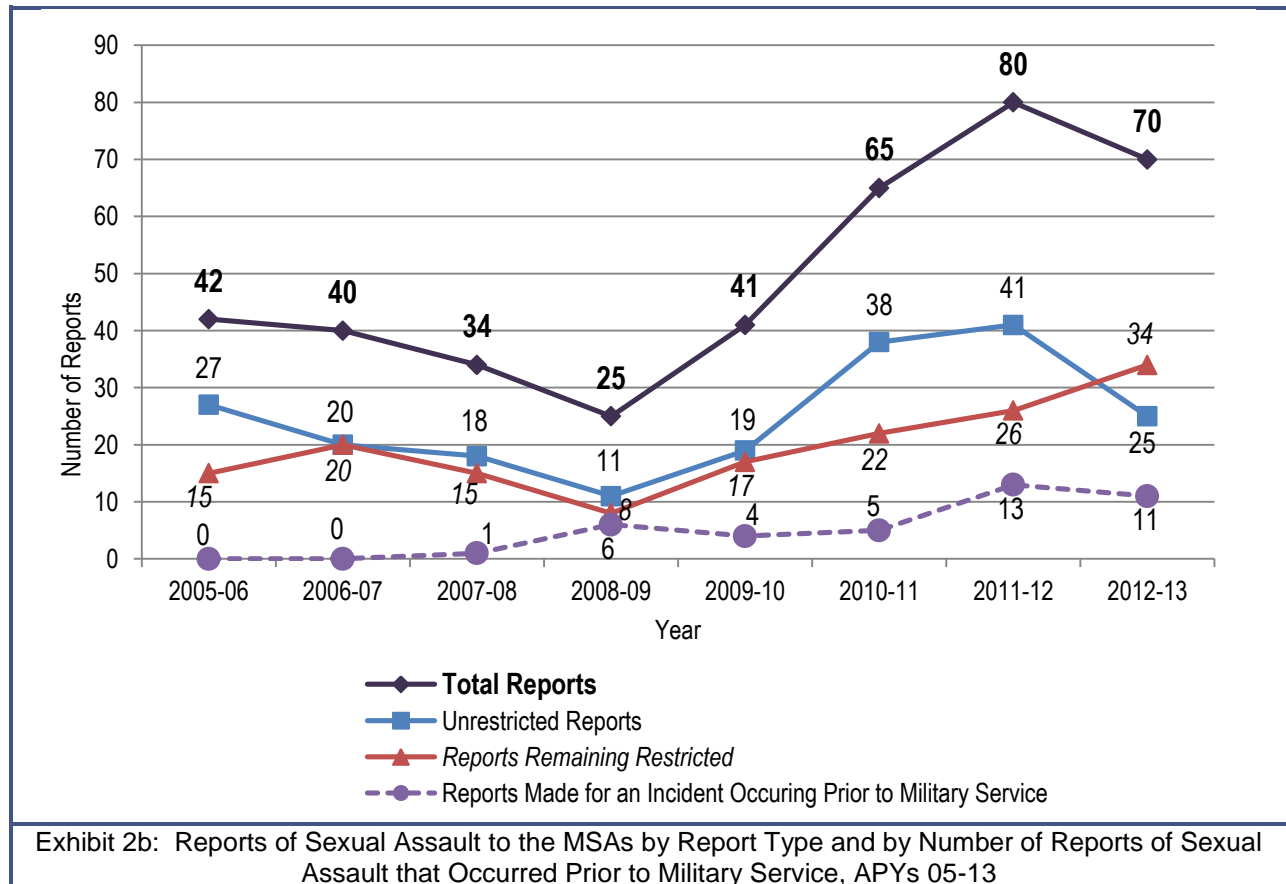
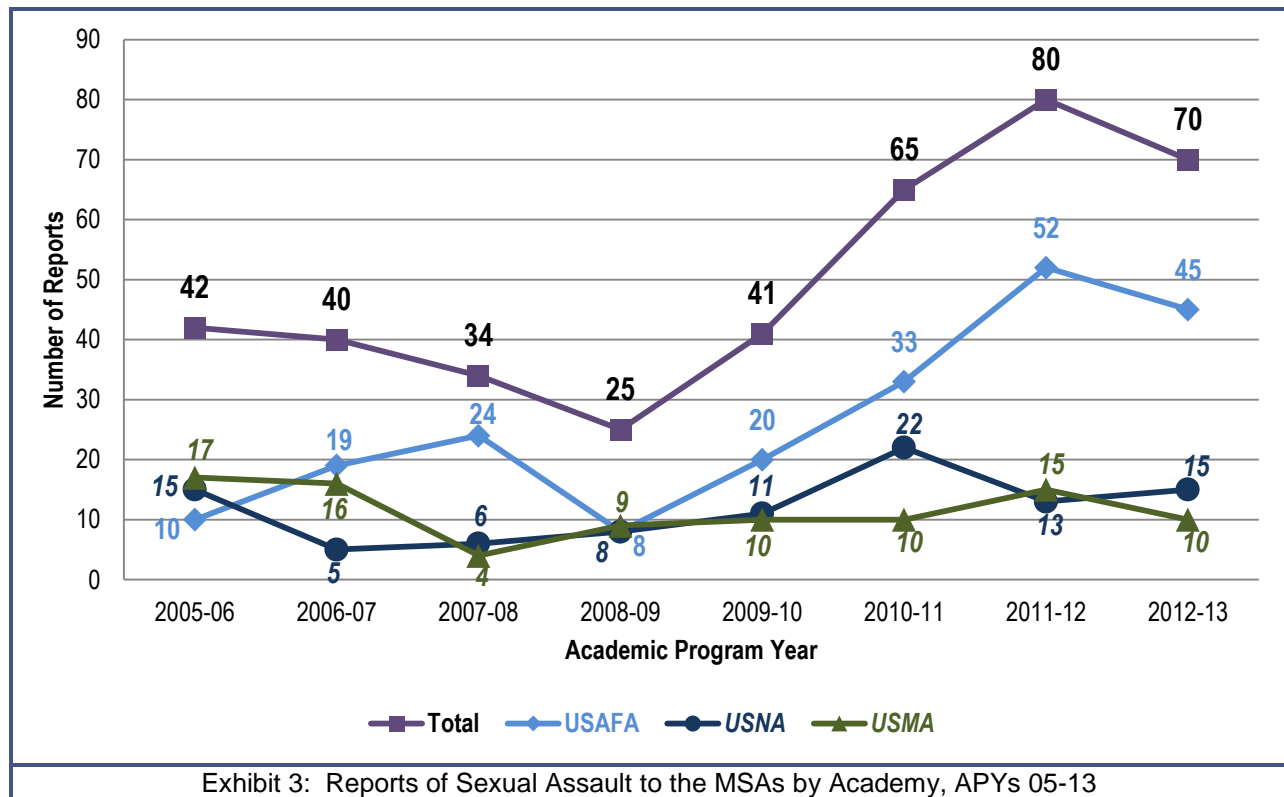


Exhibit 2b breaks out the cadets and midshipmen who made a report of sexual assault based on incidents that occurred prior to entry at their Academy and are represented by the dotted lines.<sup>19</sup> In APY 12-13, seven cadets/midshipmen made Restricted Reports and four cadets made an Unrestricted Report for an incident that occurred prior to their entry into an academy.



<sup>19</sup> The choice to make a sexual assault report for an incident occurring prior to service creates increased opportunity for victim care, and may imply a level of victim confidence in the MSA response systems.

Exhibit 3 shows reports of sexual assault by academy. Table 1 lists the type of sexual assault reported by MSA.



**TABLE 1 – Total Reports (Restricted and Unrestricted) of Sexual Assault at MSAs**

Service Academy	Total Reports	Unrestricted Reports	Reports Remaining Restricted
U.S. Military Academy	10	7	3
U.S. Naval Academy	15	4	11
U.S. Air Force Academy	45	18	27
<b>Totals</b>	<b>70</b>	<b>29</b>	<b>41</b>

Reports of sexual assault made to Department authorities provide limited insight into the overall phenomenon of sexual assault at the MSAs. As previously mentioned, sexual assault in United States and military society is underreported, meaning that reports to authorities are outnumbered by the sexual assaults estimated to occur using surveys of a given population. At the MSAs, the SAGR survey is conducted every two years to estimate the past-year prevalence rate of sexual assault in the MSA population. The SAGR survey will be conducted again in APY 13-14 and reported in next year's

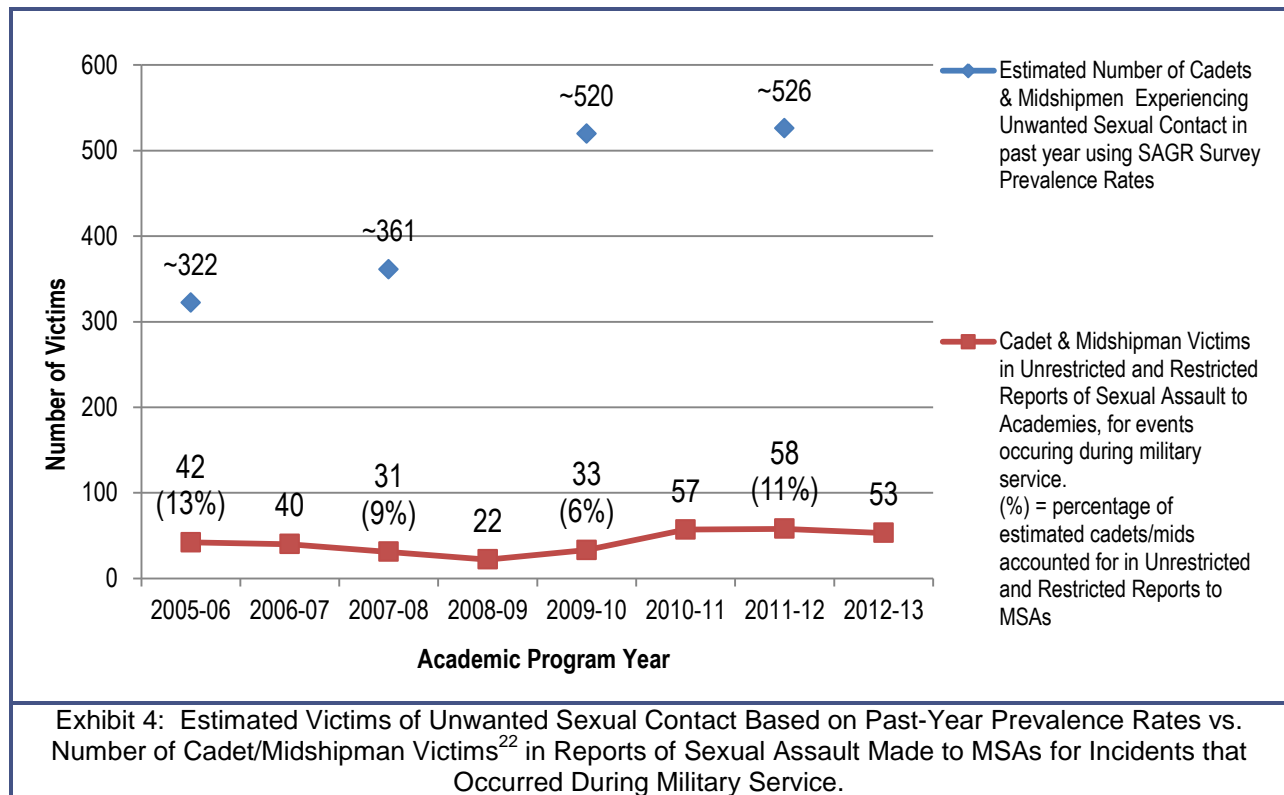
assessment. The Department also uses the SAGR survey data to track progress on the 2013 DoD SAPR Strategic Plan Prevention line of effort.

- Exhibit 4 displays how past SAGR survey estimates of the number of cadets and midshipmen who indicated experiencing sexual assault (known on the survey as “unwanted sexual contact”) compare to the number of victims in actual Unrestricted and Restricted Reports received by the academies.<sup>20,21</sup>
- In total, 70 reports were received during APY 12-13. However, not all the reports received were for incidents that to cadet/midshipman victims during military service. As depicted in Exhibit 4, 53 cadet and midshipman victims made a report for an incident that occurred during military service. Eleven reports were made by cadets and midshipmen for events that occurred before they entered military service. An additional 5 reports involved civilian victims who reported being sexually assaulted by a cadet or midshipman. One cadet was the victim in two separate Unrestricted Reports.

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<sup>20</sup> Although the term unwanted sexual contact does not appear Articles 120 , 125, or 80 of the UCMJ, for the purposes of this report it is used to refer to a range of activities that the UCMJ prohibits, including uninvited and unwelcome completed or attempted sexual intercourse, nonconsensual sodomy (oral or anal sex), penetration by an object, and the unwanted touching of genitalia and other sexually related areas of the body.

<sup>21</sup> The estimated number of cadet and midshipman victims is developed using the SAGR survey weighted estimated unwanted sexual contact prevalence rate across all genders and DoD MSAs (~4%), multiplied by the academy cadet/midshipman population at the time of the survey. It should be noted that the timeframe covered by the SAGR Survey question pertains to unwanted sexual contact experienced in the year prior to when the survey was conducted and does not always align exactly with the APY. As a result, the SAGR Survey victim numbers *are only estimates*, due to the variances in survey estimates associated with survey data and the slightly different timeframes. Nevertheless, the Department uses these estimates as an indicator of the degree of underreporting at each of the academies.



### APY 12-13 Unrestricted Reports of Sexual Assault

In APY 12-13, there were 29 Unrestricted Reports of sexual assault involving cadets and midshipmen as either the subject and/or victim of a sexual assault investigation.

- 26 of the Unrestricted Reports involved cadets and midshipmen as victims.
- Four cadets made an Unrestricted Report relating to sexual assault incidents that occurred prior to academy matriculation.

Once an Unrestricted Report of sexual assault is made, Department policy requires that the report be forwarded to an MCIO for investigation (Exhibit 1, Point D). Depending upon the complexity of the alleged crime, an investigation can take a few weeks to several months to complete. Not all of the reports made in a given year are completely investigated by the end of that year.

- Of the 24 criminal investigations initiated during APY 12-13, 16 investigations

<sup>22</sup> This graph depicts the estimated number of cadets and midshipmen who experienced unwanted sexual contact in the past year (based on SAGR Survey prevalence rates), versus the number of cadet and midshipman victims in actual reports of sexual assault made to MSAs in the APYs indicated. Note that although 70 total sexual assault reports were received in APY 12-13, 11 of the reports were for events that occurred to cadets and midshipmen before they entered military service at the Academies; an additional five reports involved civilian victims who reported being sexually assaulted by a cadet or midshipman; and one cadet was the victim in two separate Unrestricted Reports, leaving 53 cadets/midshipmen. The remaining reports involved civilian victims who were reportedly assaulted by cadet or midshipman subjects. In addition, the survey-based estimates in this graph have been updated this year with more precise estimates from DMDC.



were completed in APY 12-13. The outcomes of the other eight investigations will be reported in forthcoming years' reports (Exhibit 1, Point F).

- 18 investigations of sexual assault from prior reporting periods (APY 11-12) were also completed during APY 12-13.
- In sum, 34 investigations of sexual assault (Exhibit 1, Point E) involving 34 subjects (Exhibit 1, Point G) were completed during APY 12-13.
- By the end of APY 12-13, legal authority and disposition had yet to be determined for three subjects of investigations closed in APY 12-13 (Exhibit 1, Point H). Disposition for these subjects will be documented in future reports.

When an Unrestricted Report of sexual assault is made, the MCIOs investigate all alleged violations of military law contained in the report. However, to comply with legislated reporting requirements, the Unrestricted Reports are categorized by the most serious sexual assault infraction alleged. Exhibit 5 shows the sexual assault crimes alleged for the 29 Unrestricted Reports made in APY 12-13. It should be noted that the crime investigated might not always result in the same crime being charged or addressed with a disciplinary action. For example, if the crime of "Rape" is alleged and investigated, but only evidence for the crime of "Aggravated Sexual Contact" is discovered during the investigation, then only the crime of "Aggravated Sexual Contact" can be charged.

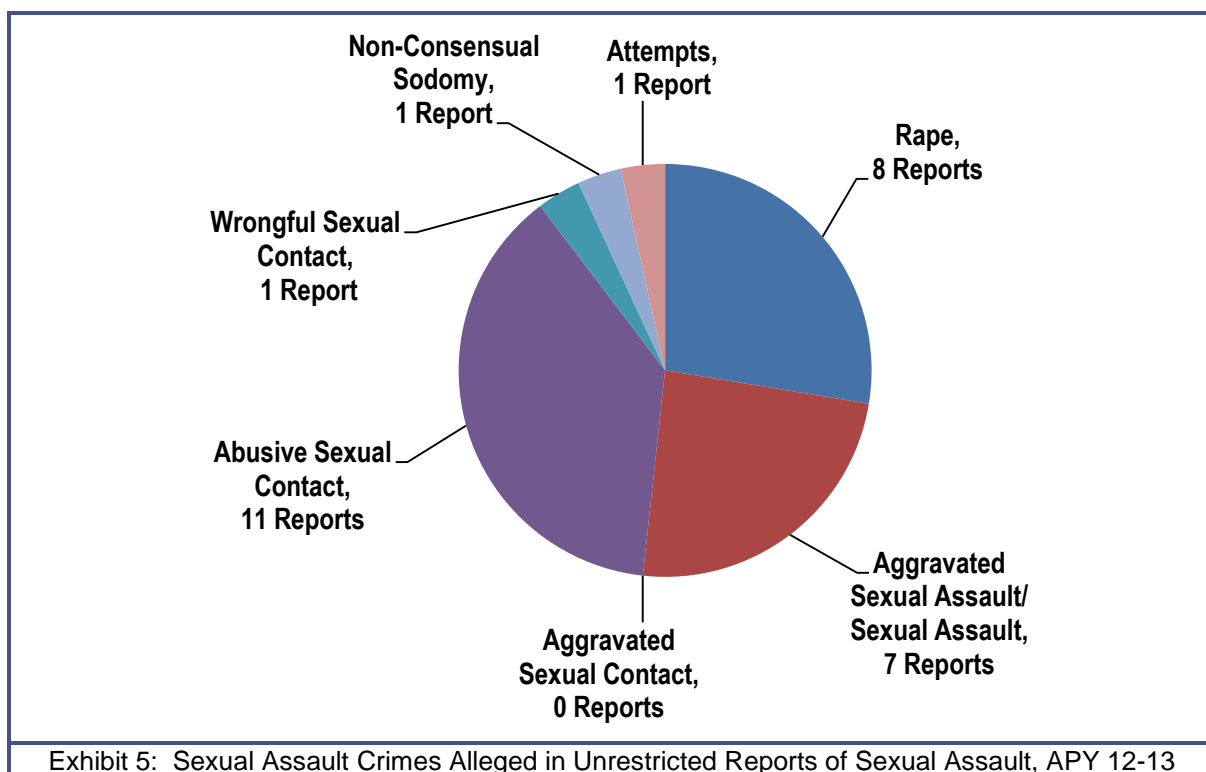
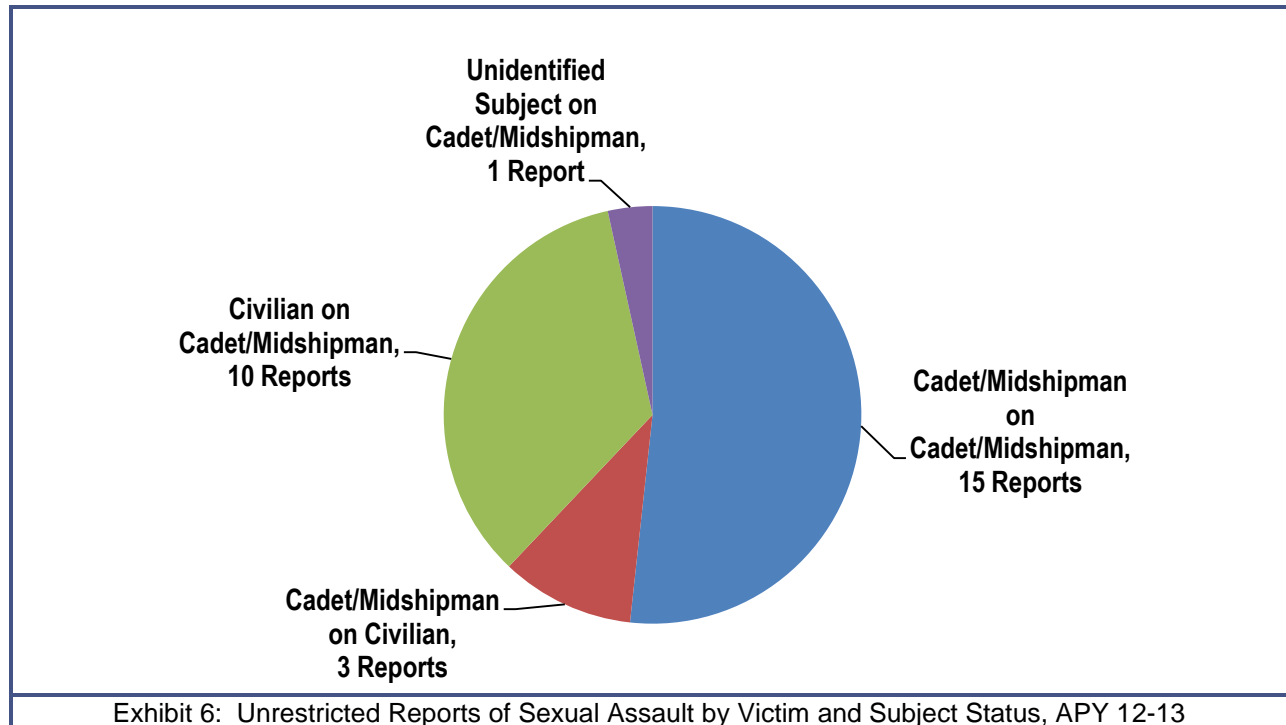


Exhibit 6 illustrates how cadets and midshipmen were involved in sexual assault reports. In APY 12-13, 15 of the 29 Unrestricted Reports involved the victimization of a cadet or midshipman by another cadet or midshipman. Three reports involved victimization of a civilian by a cadet or midshipman.



### *Disposition of Completed Investigations*

When an Unrestricted Report is investigated, the goals of the investigation are to identify what crimes, if any, have been committed, who has been victimized, and who may be held appropriately accountable for the crime. It is the intent of the Department to hold offenders appropriately accountable when it has legal authority and available evidence supports such action. The 34 criminal investigations closed in APY 12-13 involved 34 subjects. By the end of APY 12-13, the MSAs had case outcome information for 31 of the 34 subjects. Case outcomes for the remaining three subjects will be reported in a forthcoming report.

Exhibit 1 shows the flow of sexual assault reports from initial allegation through final disposition.

Twelve subjects were outside the legal authority of the DoD.

- Allegations against one subject determined to be unfounded by the MCIO (Exhibit 1, Point I).
- Four subjects could not be identified, despite a thorough investigation (Exhibit 1, Point J).

- Four subjects were civilians who were not subject to military law (Exhibit 1, Point K).
- Two subjects were cadets whose allegations were addressed by a civilian legal authority.
- One subject was a cadet who died before the allegations could be resolved by a civilian police agency.

Reports of investigation on the 19 subjects within the legal authority of the DoD were provided to MSA authorities to consider for appropriate disciplinary action (Exhibit 1, Point N):

- Commanders had sufficient evidence of a crime to support taking disciplinary action against 11 subjects (Exhibit 1, Point P).
  - The actions taken for sexual assault crimes are as follows (Exhibit 1, Point R):

▪ Court-martial charges preferred (initiated):	5 subjects
▪ Nonjudicial punishments (Article 15, UCMJ):	0 subjects
▪ Administrative discharges:	0 subjects
▪ Other Adverse Administrative Action:	1 subject
  - The actions taken for other misconduct that was discovered during the course of the sexual assault investigation are as follows (Exhibit 1, Point S):

▪ Court-martial charges preferred (initiated):	0 subjects
▪ Nonjudicial punishments (Article 15, UCMJ)	1 subject
▪ Administrative discharges:	0 subjects
▪ Other Adverse Administrative Action:	4 subjects
- Commanders could not take action against eight subjects (Exhibit 1 Point O).
  - For seven subjects, command action for sexual assault charges was precluded because the victim declined to participate in military justice actions:
  - For one subject, command action for sexual assault charges was declined because MSA authorities determined the allegations against the subjects were unfounded (Exhibit 1, Point Q).

### *Disposition of Sexual Assault Reports Received in APY 12-13*

The Department of Defense provides its statistics as a “snapshot in time,” documenting the status of sexual assault reports and disposition of the cases as of the last day of the Academic Program Year. To better understand what happened to just the reports of sexual assault made in APY 12-13, the following accounting is provided:

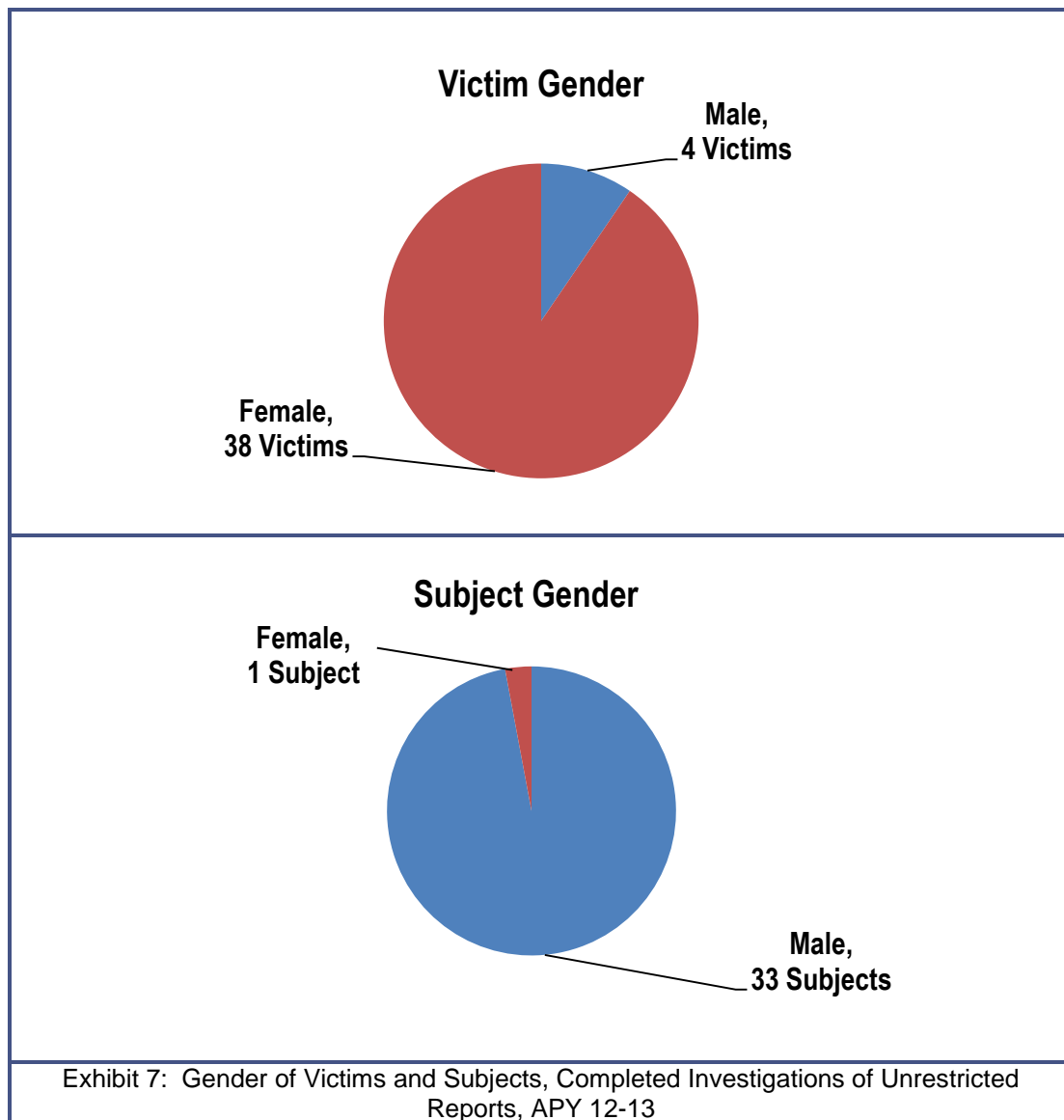
70	Reports of Sexual Assault Received in APY 12-13
<u>- 41</u>	Reports Remaining Restricted at the end of the APY (7 reports for incidents occurring prior to service)
29	Unrestricted Reports of Sexual Assault
<u>- 4</u>	Unrestricted Reports for incidents occurring prior to military service
25	Unrestricted Reports for incidents occurring during APY 12-13

- 1 Investigation that addressed two separate Unrestricted Reports, involving same victim
- 24 Criminal investigations opened during APY 12-13
  
- 9 Investigations ongoing/disposition not decided at APY end (outcomes to be reported in forthcoming reports)
- 15 Criminal investigations completed at the end of the APY
  
- 1 Subject – Allegations unfounded by Military Criminal Investigative Organization
- 4 Subjects – Offender unknown
- 2 Subjects – Civilian perpetrator not subject to the UCMJ
- 1 Subject – Died before completion of military justice process
- 7 Subjects – Under DoD legal authority to be reviewed for possible action
  
- 4 Subjects – Victims declined to participate in military justice action
- 1 Subject – Allegations unfounded by command legal review of case
- 2 Subjects – Evidence supported commander action
- 1 Subject – Court-Martial charge preferred on sexual assault charge
- 1 Subject – Adverse Administrative Action – Cadet Discipline System

### *Demographics of Unrestricted Reports*

The following demographic information is drawn from the 34 investigations of sexual assault that were completed during APY 12-13. These investigations involved 42 victims and 34 subjects.

Exhibit 7 shows victim and subject gender. Exhibit 8 (next page) illustrates victim and subject age in completed investigations of Unrestricted Reports in APY 12-13.



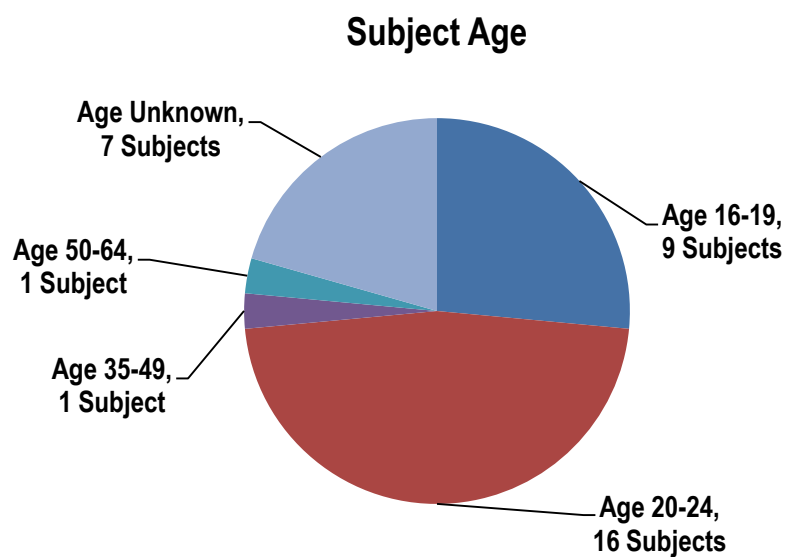
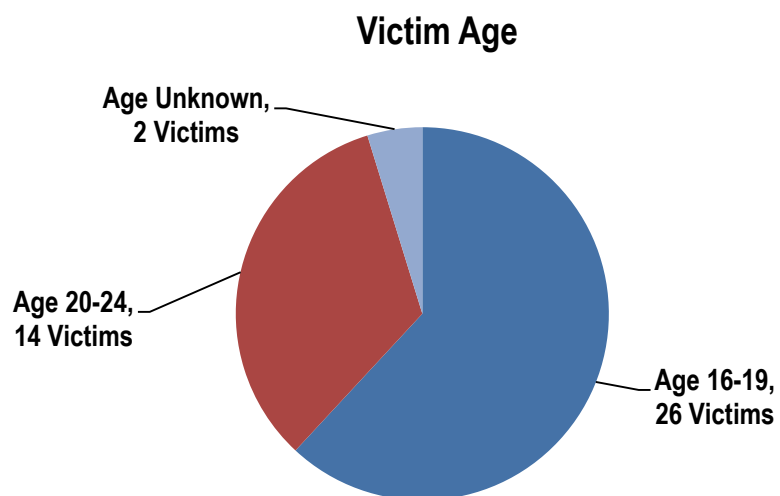


Exhibit 8: Age of Victims and Subjects in Completed Investigations of Unrestricted Reports, APY 12-13



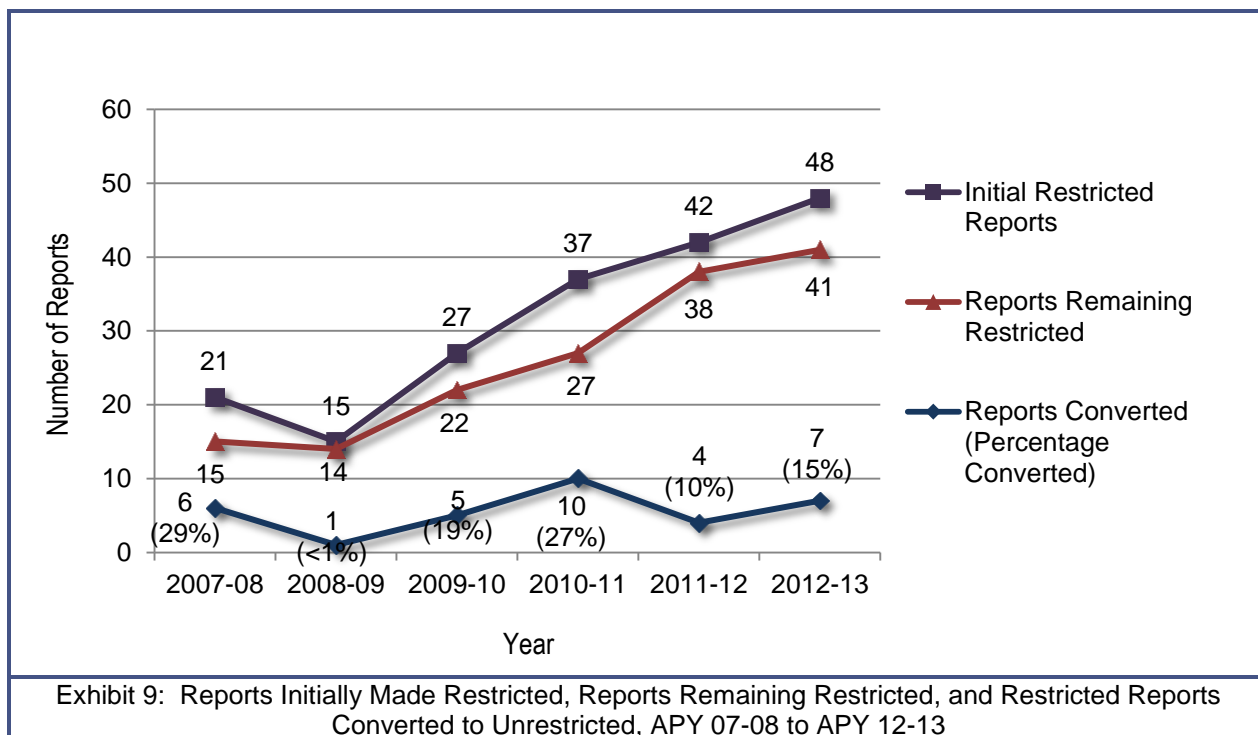
### APY 12-13 Restricted Reports of Sexual Assault

SARCs and SAPR Victim Advocates (VAs) ordinarily collect information about Restricted Reports. Because Restricted Reports are confidential, covered communications as defined by Department policy, SAPR personnel only collect limited data about the victim and the allegation being made. As with Unrestricted Reports, Restricted Reports can be made for incidents that occurred in prior reporting periods and incidents that occurred prior to military service.

In APY 12-13, there were 48 initial Restricted Reports of sexual assault.

- Of the 48 reports, seven converted to Unrestricted Reports at the request of the victim.
- At the close of APY 12-13, 41 reports remained Restricted.<sup>23</sup>
  - Seven cadets/midshipmen made a Restricted Report and obtained services for a sexual assault that occurred prior to military service.
  - 34 cadets/midshipmen made a Restricted Report and obtained services for a sexual assault that occurred while in military service.

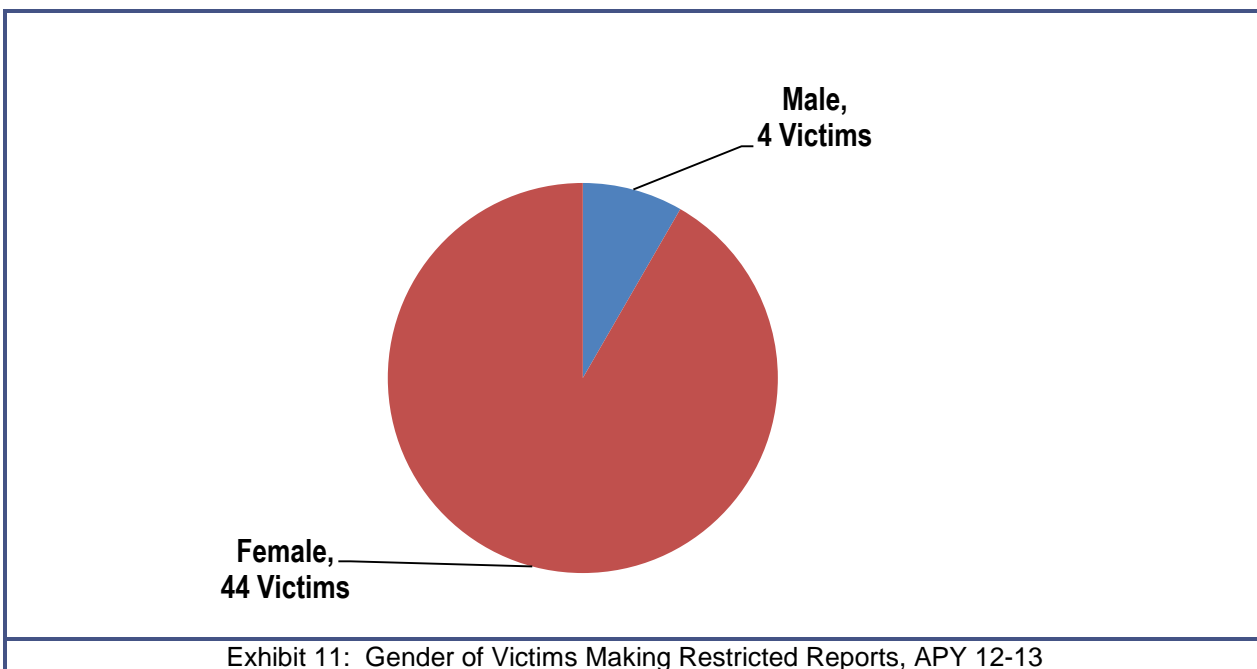
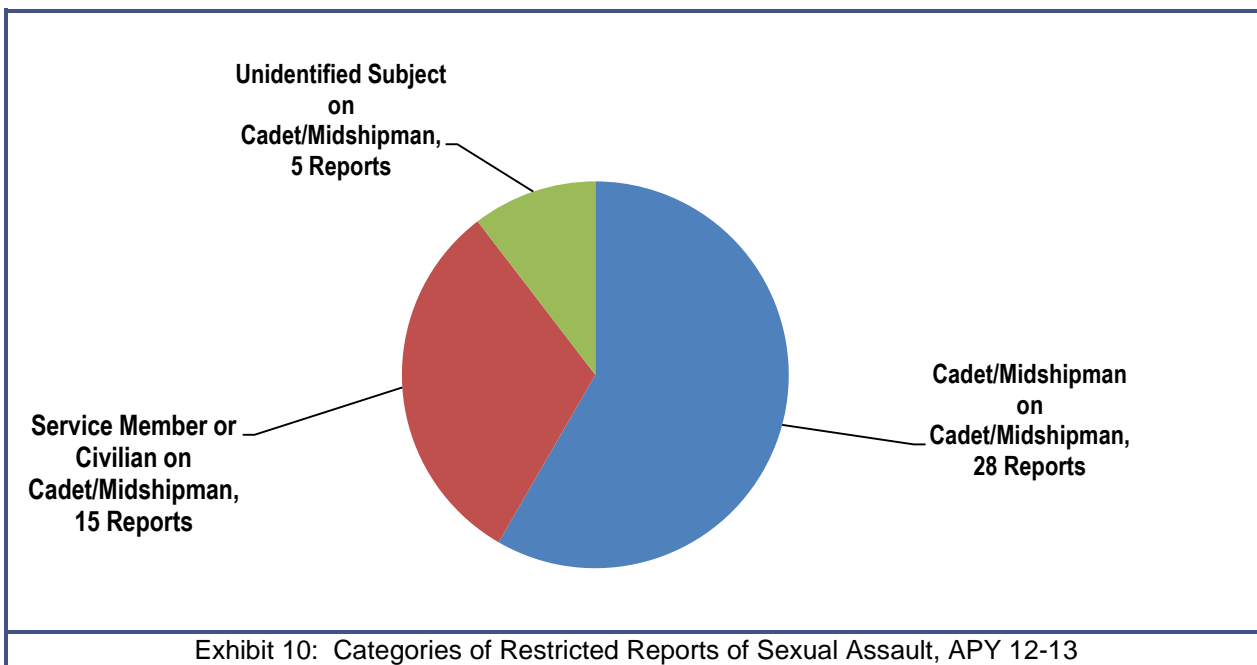
The percentage of victims desiring to convert their Restricted Reports to Unrestricted Reports at the MSAs has fluctuated from year to year. Exhibit 9 shows the Restricted Reports and conversion rates for the past six APYs.

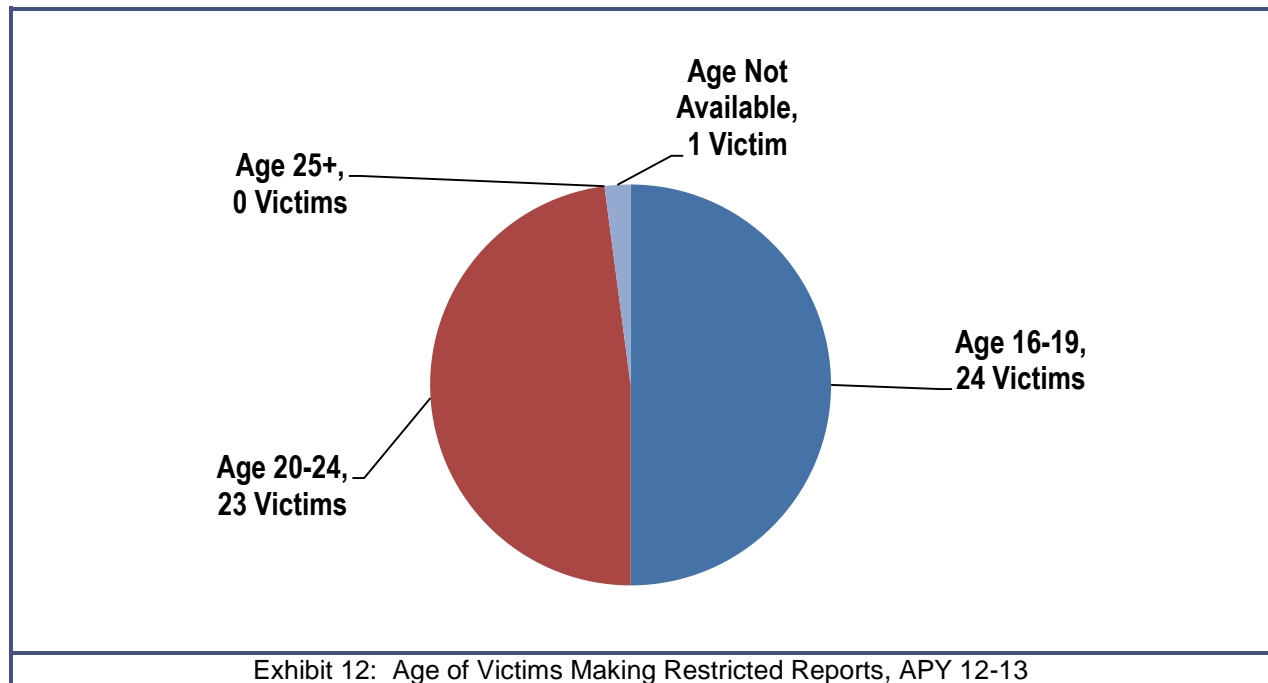


<sup>23</sup> The Restricted Reports that converted to Unrestricted Reports are included in the Unrestricted Report data cited earlier.

### *Demographics of Restricted Reports of Sexual Assault*

The following information pertains to cadets and midshipmen who made a Restricted Report of sexual assault. Exhibit 10 shows the categories of Restricted Reports reported to the MSAs and Exhibits 11 and 12 provide the victim gender and age data, respectively.





### ***APY 12-13 Service Referral Information***

Sexual assault response coordinators (SARC) and SAPR Victim Advocates (VA) are responsible for ensuring victims have access to medical treatment, counseling, and legal advice. Referrals for these services are made to both military and civilian sources. A referral for service can happen at any time while the victim is receiving assistance from a SARC or SAPR VA and may happen several times throughout the military justice process. This year, SARCs and SAPR VAs at the MSAs made an average of seven service referrals to victims making Unrestricted Reports. For victims making Restricted Reports, SARCs and SAPR VAs provided an average of six service referrals per report.

Department policy requires that a sexual assault forensic examination (SAFE) be made available to victims of sexual assault. A SAFE is conducted only with the victim's consent. In APY 12-13, three victims making Unrestricted Reports and six victims making a Restricted Report elected to undergo a SAFE.

### **SEXUAL HARASSMENT**

Reporting of sexual harassment is approached differently than the reporting of sexual assault. While both behaviors are unacceptable, sexual harassment is a human relations issue that requires a different response than the crime of sexual assault. As a result, Department policy encourages resolution of sexual harassment at the lowest

interpersonal level.<sup>24</sup> However, Service members are not mandated to confront harassment personally and may elect to resolve the matter by making an informal or formal complaint. In APY 12-13, there were no formal complaints of sexual harassment reported to the MSAs and a total of 11 informal complaints of sexual harassment at the MSAs.

- 0 informal complaints at USMA
- 3 informal complaints at USNA
- 8 informal complaints at USAFA

## STATISTICAL DATA SUMMARY

- Although no prevalence data is available for this APY report, sexual assault historically is a significantly underreported crime at the MSAs, meaning that the sexual assaults reported to DoD authorities are outnumbered by the sexual assaults estimated to occur through past anonymous surveys of cadets and midshipmen.
- Proportional to incidents, female cadets and midshipmen file more reports of sexual assault; underreporting is greatest by male victims of sexual assault.
- Over the past few years, more victims of sexual assault have made reports at USAFA than at the other two MSAs. Given that the past-year prevalence rates of unwanted sexual contact have been similar at USNA and USAFA over the past few years,<sup>25</sup> the greater number of reports seen at USAFA is not likely due to a higher crime rate. Rather, it appears that other factors are motivating Air Force victims to come forward, including a moderately greater level of confidence in the USAFA response system. Adding support to this observation is the fact that several cadets each year make reports to USAFA for incidents of sexual assault and abuse that occurred prior to their coming into military service.
- As of the writing of this report, across the Active Component the four Services (Army, Navy, Marine Corps, and Air Force) had experienced a substantial increase in reports of sexual assault. At the end of FY13, reports made to the Services increased by an average of 50 percent over the number of reports received in FY12. After considering the totality of the circumstances, the Department assessed this increase in reporting as largely due to improved victim confidence throughout the Services, based on a number of Department-wide initiatives undertaken in FY12 and FY13 to improve sexual assault response. This substantive increase in reporting experienced in the Active Component did not occur at the MSAs, with their overall reporting decreasing from 80 reports in APY 11-12 to 70 reports in APY 12-13.

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<sup>24</sup> DoD Directive 1020.2, Diversity Management and Equal Opportunity in the Department of Defense, 5 February 2009

<sup>25</sup> As established by the 2010 and 2012 Service Academy Gender Relations Surveys.

## **ASSESSMENT OF MSA PROGRAMS: FINDINGS COMMON TO ALL ACADEMIES**

The goals of this assessment are largely two-fold:

- To determine whether the MSAs have sexual harassment and assault policies, procedures, and training in place that comply with DoD instructions and directives; and
- To determine the effectiveness of these policies, procedures and training as applied in the MSA environment.

The MSAs were all found to have policies, procedures, and training programs that are generally in compliance with the Department's directives and instructions. Despite being in compliance, sexual harassment and sexual assault continue to exist to varying degrees at each of the MSAs.

Consequently, it follows that policy compliance does not always equate to program effectiveness. Rather, program effectiveness is determined by measuring how well a program performs in a given environment against the goals it sets out to accomplish. While the ultimate intent of the programs being assessed is to enable military readiness and reduce, with the goal to eliminate, sexual assault and harassment, there are more intermediate goals that can be assessed for effectiveness. Each of the DoD's five lines of effort has a goal associated with it:

1. Prevention—Deliver consistent and effective prevention methods and programs
2. Investigation—Achieve high competence in the investigation of sexual assault
3. Accountability—Achieve high competence in holding offenders appropriately accountable
4. Advocacy/Victim Assistance—Deliver consistent and effective victim support, response, and reporting options
5. Assessment—Effectively standardize, measure, analyze, and assess program progress

Each MSA's progress within these lines of effort is documented and evaluated in a forthcoming section. Concerns that apply across all three MSAs are addressed in the sections that follow.

### **FOSTERING A CLIMATE OF DIGNITY AND RESPECT**

#### ***Address Damaging Peer Pressure***

Leaders, faculty, and staff at the MSAs are committed to eliminating sexual harassment and sexual assault from their respective academies, and are committed to providing a safe environment in which future officers are educated, trained, and developed into leaders of character.

Based on research and ongoing observations by the Department over the past six years, cadets and midshipmen acknowledge that academy leadership take reports of sexual assault seriously and respond appropriately. In addition, it appears that the vast majority of cadets and midshipmen generally support the values of mutual respect and dignity. However, the extent to which cadets and midshipmen feel free to act on these values varies (discussed in greater detail in the focus group section to follow). At each of the three academies, there is evidence that some cadets and midshipmen disregarded academy policies and practices in these areas and engaged in gender-related misbehavior and misconduct, targeting fellow cadets and midshipmen as the focus of crude and offensive language and sexist comments. Observed evidence of misbehavior and misconduct was as follows:

- At the U.S. Military Academy, members of the men's rugby team circulated a number of emails that illustrated a culture of disrespect towards women. This email chain was only discovered when one of the women discussed in the emails inadvertently discovered the material and reported it to USMA officials.
- At the U.S. Naval Academy, some midshipmen went against academy rules and rented a house in Annapolis, MD, with the assistance of a sponsor family. The house members hosted an undisclosed number of parties where alcohol was reportedly served to minors. The house was also the scene of an alleged sexual assault involving midshipmen who were members of the USNA football team.
- At the U.S. Air Force Academy, a years-old slide presentation that disparages academy women continued to be circulated by members of at least two sports teams. In addition, informal team customs disparage, taunt, and sometimes chastise individuals that date fellow female cadets.

Each academy's leadership took steps to address the inappropriate behaviors and/or criminal activity that came to its attention. However, the use of email, social media, and other forms of electronic communication made external detection of such unacceptable behavior particularly difficult.

The most unfortunate aspect of this problem is that, at each MSA, the unacceptable behavior of a very few was ignored, tolerated, or condoned by cadets and midshipmen who were aware of the behavior. Well-established scientific research on the dynamics of group behavior indicates that the same social forces that give people a collective sense of identity and purpose also work to maintain the silence or complicity of peers when a few

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#### ***Action Items:***

*Employ purposeful and direct engagement with leaders and supervisors of teams, clubs, and other organizations to advance a climate of dignity and respect*

*Identify and innovate solutions to address concerns of social retaliation among peers for reporting sexual assault or for taking action against inappropriate conduct*

*Provide influencers with the skills, knowledge, and commitment to effect ongoing mentorship and reinforcement to prevent sexual harassment and assault*

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misbehave. When not challenged by peers, the few individuals involved in the problem behavior set a new social norm, allowing the misbehavior and misconduct to perpetuate.

MSA leadership, faculty, coaches, and cadets and midshipmen share responsibility in eliminating disrespectful behavior fostered by inappropriate peer pressure:

- The MSAs should employ purposeful and direct engagement with leaders and supervisors of teams, clubs, and other cadet/midshipman organizations to advance a climate of dignity and respect.
- The MSAs should identify and innovate solutions to address concerns of social retaliation among peers for reporting sexual assault or for taking action against inappropriate conduct.
- MSA leadership should provide influencers, such as faculty, staff, coaches, sponsors, alumni organizations, and cadet/midshipman leaders with the skills, knowledge, and commitment to effect ongoing mentorship and reinforcement to prevent sexual harassment and assault.

The Department encourages the MSAs to expand bystander intervention work to address how the institutions can counter these damaging social forces, instill social courage, and advance a culture of commitment to Service values.

### *Encourage Further Faculty and Staff Training and Involvement*

There is great opportunity at the MSAs for enhanced collaboration among faculty and staff and for greater involvement of faculty, staff, and coaches in SAPR efforts. Specific recommendations for each MSA are made in the academy-specific portions of this report. Common to all MSAs is a desire by faculty and staff, as evidenced in the Focus Group findings, for greater involvement in prevention efforts. MSAs are encouraged to incorporate faculty participation strategically into prevention efforts. This should be done first by integrating learning objectives into academic curricula that address sexual harassment and sexual assault in the military, as USMA did during APY 12-13 and as USNA has begun to during APY 13-14.

All faculty, company/squadron officers, senior enlisted leaders, and staff who directly interact with cadets and midshipmen should receive an Academy-modified version of their Service's Pre-command SAPR training prior to beginning of

classes or within 30 days of reporting for duty. Each MSA should modify the training to address academy-specific sexual harassment and assault statistics, programs, and accountability procedures.

Focus group findings indicate that many cadets and midshipmen appreciate the "real world" relevance their instructors (in particular, the military faculty) bring to education and training. This opportunity should

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#### *Action Item:*

*Provide an MSA-modified version of its Service's pre-command training for all faculty, company/squadron officers, and senior enlisted leaders*

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be harnessed by the MSAs so SAPR training and education is delivered in a relevant and effective manner.

DoD Military Equal Opportunity (MEO) policy also requires additional preparation and training of personnel involved in investigating sexual harassment complaints, providing sexual harassment prevention training, or working in victims' assistance and support programs. The MSAs should submit all locally produced sexual harassment developed training plans used by such personnel to the Defense Equal Opportunity Management Institute (DEOMI) for review and comment consistent with DoD policy.

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**Action Item:**

*Submit locally produced sexual harassment related training plans to the DEOMI for review*

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MSAs are also encouraged to identify other roles and opportunities for faculty and staff involvement. (See "Program Assessment" below.) In doing so, MSAs need to appropriately resource all efforts so the right personnel with the requisite skills are efficiently allocated to the SAPR and POSH programs.

**Improve Training Approach**

Cadets and midshipmen are receiving information about sexual harassment and assault prevention and response. However, mounting evidence from focus group feedback, assessment observations, and past survey results indicate that much of this training occurs outside the regular duty day, on weekends, or at other times that make cadets and midshipmen less receptive to the concepts being presented. In addition, most of the training is not systematically evaluated to determine if the material presented is achieving the desired outcome (The exception to this is USNA's regular evaluation of the Sexual Harassment and Assault Prevention Education (SHAPE) program). Programs that lack a scientific or theoretical foundation, or lack outcome data to demonstrate some form of effectiveness have been shown to be of limited use. Given the impact that sexual harassment and assault have on a Service member, unit readiness, and the armed forces, the MSAs should develop and implement sexual harassment and sexual assault learning objectives into related classes within core academic curricula.

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**Action Item:**

*Develop and implement sexual harassment and sexual assault learning objectives into related classes within core academic curricula*

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### *Expand Alcohol Policies*

Alcohol consumption remains a significant factor in alleged sexual assaults reported to the MSAs. Of 34 investigations of Unrestricted Reports completed during APY 12-13, 11 (32%) involved the use of alcohol by one or more parties. However, alcohol likely plays a much larger role than what is depicted in reported incidents. The most recent survey of cadets and midshipmen in 2012 found that alcohol use by the offender and/or the victim occurred in about 59% of situations of unwanted sexual contact.

All three MSAs have policies that address individual drinking behavior, and have taken steps to limit the kind and quantity of alcohol available to cadets and midshipmen who are of legal drinking age. However, more can be done to address alcohol service, sales, and availability. For example, USNA leadership this past year engaged alcohol-serving establishments in the local community to request their assistance in ensuring responsible use by midshipmen. The USNA Superintendent himself requested that establishment owners contact the Academy at any time should they encounter evidence of irresponsible use or problematic behavior. All three MSAs should seek out, sustain, and expand this kind of community cooperation as part of a comprehensive alcohol policy.

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#### *Action Item:*

*Review and systematically expand alcohol policies to address risk factors beyond the individual use of alcohol*

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Based on advice from the Division of Violence Prevention, National Center for Injury Prevention and Control at the Centers for Disease Control and Prevention, the Department encourages each of the academies to review and update their alcohol policies to address factors beyond individual use. Expanded alcohol policies should be comprehensive, involve cadet/midshipmen in the planning and enforcement process, and include:

- **Enhanced policies and skills for serving alcohol.** Responsible Beverage Service (RBS) is designed to promote public safety and reduce risk associated with the retail alcohol environment. The goal of RBS is to reduce alcohol-related problems by educating an establishment's staff on the sales and service of alcohol, and holding them appropriately accountable if their establishment violates applicable laws, such as sales to minors and sales to obviously intoxicated patrons. The academies should review RBS Best Practices in conjunction with existing requirements employed by their state's alcohol beverage control board and apply them wherever possible to all installation establishments dispensing alcoholic beverages. The RBS Best Practices developed by the State of California may be a useful guide for this effort.
- **Sales Times.** The MSAs should review the times that alcohol is sold and consider adjusting as appropriate sales times to cadets, midshipmen, and whenever necessary, other military members. Considerable scrutiny should be

given to curtailing alcohol sales times late in the evening or into the early morning hours.

- **Availability of Alcohol and Consumption Locations.** The MSAs have a limited number of establishments and points of sale for alcoholic beverages on their installations. Existing department policy governs sales at these facilities. However, each of the MSAs have a number of establishments in their immediate communities and surrounding areas that sell alcohol to cadets and midshipmen, or provide lodging where alcohol may not always be used responsibly or in compliance with law. Cadets and midshipmen may also consume alcohol at private and/or unauthorized residences rented by or for cadets and midshipmen in the vicinity of the MSAs. The MSAs should develop and execute a plan to contact and request the voluntary assistance of community establishments, parents, family members, and sponsors to promote responsible alcohol use by cadets and midshipmen. Likewise, the MSAs should provide local establishments with 24-hour contact information should establishments identify irresponsible use and/or parties involving cadets and midshipmen within their establishments. The community engagement techniques used by Great Lakes Naval Station and other Naval installations may be a useful guide for this effort.
- **Drinking Environment.** The MSAs should develop and execute installation policies that impede or deter irresponsible drinking behaviors while transiting or traveling off the installation. The MSAs should review and optimize existing alcohol policies to deter driving under the influence, irresponsible and/or illegal alcohol use while traveling away from the installation, and large-quantity alcohol purchase and/or transportation.

## PROGRAM DEVELOPMENT AND ASSESSMENT

As sexual assault and sexual harassment prevention and response initiatives continue to develop and evolve, a centrally coordinated plan is required to ensure program thoroughness and completeness. As the Department established its SAPR Strategic Plan, and as the Services developed new SAPR Strategic Plans in alignment with the DoD SAPR Strategic Plan, the MSAs should develop their own SAPR Strategic Plans organized and executed under the supervision of a single point of accountability. The strategic plan should employ a multidisciplinary approach in prevention, investigation, accountability, advocacy/victim assistance, and assessment. The authority and responsibility for plan implementation, execution, and assessment of effectiveness should lie with a designated MSA staff member, reporting to the Superintendent, who is ultimately responsible for the oversight of the SAPR and POSH programs.

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### **Action Item:**

*Develop and implement a sexual harassment and assault prevention and response strategic plan, centrally coordinated, executed, and assessed by staff that report directly to the superintendent*

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Meaningful program performance measurement is essential to ensure all sexual assault and sexual harassment prevention and response efforts achieve the goals for which they were designed. Currently, the MSAs independently assess SAPR training and some behavior trends. However, none of the MSAs has implemented an organized measurement approach to track program impact on the prevalence of sexual assault and harassment, the effectiveness of its response systems to victims, or improvements in individual cadet/midshipman knowledge, skills, and attitudes. USAFA developed a first-of-its-kind draft set of metrics that assesses the gender relations culture. The proposal, called the USAFA Gender Relations Integrated Platform (GRIP), aims to achieve a better understanding of the gender relations culture at USAFA, monitor curricula, activities, and events across USAFA that influence gender relations, and measure their impact. The GRIP focuses on continuous improvement—information will be collected, synthesized, and used to improve and promote a positive gender relations culture.

The Department encourages further development of these metrics. The Department also encourages the development of similar metrics by USMA and USNA for meaningful program assessment. The development and/or adaption of the GRIP present an opportunity for further faculty input and involvement.

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***Action Item:***

*Develop and implement metrics and assessment strategies to evaluate and regularly report progress in sexual harassment and assault prevention and response*

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## FOCUS GROUP RESULTS

While the focus groups conducted by DMDC were independent of the MSA program assessments conducted by SAPRO, the focus group findings support the conclusions and recommendations stated above. Facilitators asked focus group participants for their perspectives on the culture at their academy and how unwanted gender-related behaviors might be diminished. DMDC discussed with participants—cadets, midshipmen, faculty, and staff—how verbal behaviors, such as crude and offensive language and sexist comments, might contribute to a disrespectful environment and might propagate more aggressive behaviors. Directly related to an environment where improper attitudes and behaviors might result in unwanted sexual behaviors is the role of alcohol. The stress-filled life of cadets and midshipmen is conducive to maximizing their social time, which can translate into excessive drinking and associated poor judgment in relationships. Finally, among cadets and midshipmen, protecting one's reputation and social standing is, in their perspective, critical to success at the academy. The result is an unwillingness to take action when improper behaviors occur, either in reporting behaviors that they experience personally or that they witness, or an unwillingness to challenge those who act improperly.

Focus group findings indicated that changing the environment where improper behaviors and poor decisions occur requires heightened emphasis on respect and professionalism. Doing so requires recognition that these factors contribute to a less than professional culture, an acceptance of responsibility to challenge anyone who acts



improperly, and an acceptance of this responsibility as the mark of a future officer and leader.

The focus groups among faculty and staff illuminated a ready and willing resource to help with this cultural change. Because faculty, military leaders, coaches, and other staff members are in constant contact with cadets and midshipmen and often have established trusted relationships, they represent a resource to communicate expectations, model professional behaviors, serve as mentors, and counsel those who trust them. Many faculty and staff members do so already, but based more on their own initiative than a coordinated effort. An opportunity exists for the academies to energize faculty and staff members through an approach that gives them a consistent message to share with cadets and midshipmen, training in skills for dealing with improper gender-related behaviors, and clearer guidance on resources available and reporting requirements.

The *2013 SAGR Focus Group Report* draws many themes and opportunities from the perspectives of cadets, midshipmen, faculty and staff on a number of issues. While some themes were unique to a specific academy, by and large the common themes were similar across all three MSAs. Highlights of the report include:

### ***Program Compliance***

Cadets and midshipmen stated in focus groups that they understand the emphasis on sexual assault prevention and response. They agreed that academy officials would take immediate action when an incident occurs. The training cadets and midshipmen receive imparts the factual aspects of prevention and response programs, such as the role of the SARC and SAPR VAs. However, many cadets/midshipmen have never personally experienced sexual assault nor know anyone who has, hence the messaging and training on sexual assault is not highly relevant to them. In order to engage them more fully, cadets/midshipmen stated that they like to hear from people like themselves who have had an experience and from officers who have dealt with situations in the field. They also indicated that small group discussions are much more effective than large lectures because they can discuss issues and hear various opinions or experiences. The leader of small group discussions, however, must be someone knowledgeable in the topic who can maintain control and keep the discussion focused. Finally, while some cadets/midshipmen indicated their commissioned officers and NCOs talk to them about these issues, others indicated these individuals do not.

### ***Reporting Sexual Assault***

Cadets/midshipmen discussed their reluctance to report incidents of either sexual assault or sexual harassment due to perceived damage to their reputations. They articulated various repercussions from reporting, such as being ostracized for getting a fellow cadet or midshipman in trouble, getting themselves in trouble for other offenses (underage drinking, fraternization), or being blamed for causing the incident. They believe that calling such attention to themselves can diminish their social standing



among peers and have a future impact on their careers. Cadets/midshipmen also noted that in some instances, they would like to discuss an unwanted incident with someone they know and trust but they are reluctant for fear the incident would have to be reported.

### *Cultural Issues*

Cadets/midshipmen noted that crude and offensive language and sexist comments occur frequently and are an ingrained part of the experience at the academies. While they noted individuals would typically stop offensive comments when asked, cadets and midshipmen feared that any pushback might diminish their standing in the eyes of their peers. Many participants, both cadets/midshipmen and faculty/staff, noted that verbal behaviors, such as crude and offensive language and sexist comments, contribute to a disrespectful environment where more aggressive behaviors might propagate.

### *Alcohol*

Both cadets/midshipmen and faculty/staff indicated that alcohol plays a role in many unwanted behaviors. Alcohol may diminish inhibitions and increase the likelihood to engage in behaviors one might not do when sober. Alcohol plays a primary role in relaxation and their expectations of what it is to be a “normal” college student. What they perceived as overly restrictive academy rules often motivated some to engage in excess during their “personal time.” Additionally, cadets/midshipmen noted that use of alcohol contributes to their reluctance to intervene or report an unwanted incident for fear of being punished for collateral misconduct.

### *Faculty/Staff Involvement*

Faculty/staff indicated that they are motivated to help students deal with personal issues. However, not all faculty/staff members feel prepared to advise cadets/midshipmen, nor are they sure of their requirement for reporting sexual assault. Some faculty/staff members have developed their own approach to mentoring or advising cadets/midshipmen. Additionally, most faculty/staff members see cadets and midshipmen during the “professional” part of their day and do not have the opportunity to observe improper behaviors directly. The training they receive identifies facts about the program, such as the name and location of the SARC, but there is no common message, other than zero tolerance, for faculty and staff to advocate for a heightened sense of accountability and responsibility among cadets/midshipmen.

## SUMMARY OF RECOMMENDATIONS FOR ALL MSAs

The following recommendations are based on findings from on-site assessment observations, sexual assault reporting data, and focus group feedback, and are informed by past SAGR survey findings. As described in this report, all MSAs should:

1. Employ purposeful and direct engagement with leaders and supervisors of teams, clubs, and other organizations to advance a climate of dignity and respect.
2. Identify and innovate solutions to address concerns of social retaliation among peers for reporting sexual assault or for taking action against inappropriate conduct.
3. Provide influencers with the skills, knowledge, and commitment to effect ongoing mentorship and reinforcement to prevent sexual harassment and assault.
4. Provide an MSA-modified version of its Service's pre-command training for all faculty, company / squadron officers, and senior enlisted leaders.
5. Integrate Service Command Climate Assessment process into cadet/midshipmen unit structure.
6. Submit locally produced sexual harassment related training plans to the DEOMI for review.
7. Develop and implement sexual harassment and sexual assault learning objectives into related classes within core academic curricula.
8. Review and systematically expand alcohol policies to address risk factors beyond the individual use of alcohol.
9. Develop and implement a sexual harassment and assault prevention and response strategic plan, centrally coordinated, executed, and assessed by staff that report directly to the superintendent.
10. Develop and implement metrics and assessment strategies to evaluate and regularly report progress in sexual harassment and assault prevention and response.

## CONCLUSION

Though all MSAs are compliant with current DoD policy, compliance alone cannot advance and sustain a culture of dignity and respect. Effective policy must go hand in hand with strategic plans and initiatives that drive culture change, improve reporting, advance prevention, and build victim confidence in response systems. During APY 12-13, the MSAs worked to enhance SAPR programs, improve SAPR training, and establish an enduring culture of dignity and respect. MSAs leadership spent considerable time promoting sexual assault and sexual harassment prevention and awareness.

Preventing sexual harassment and sexual assault requires participation of the entire MSA community—to adhere to Service standards and values, to promulgate cultural improvements, and to implement and enhance SAPR programs. During APY 13-14, the MSAs must identify innovative programs and curricula that engage and challenge

cadets and midshipmen. MSAs leadership must do more to motivate and mentor cadets and midshipmen to confront misconduct by applying Service values, intervening when possible, and reporting when necessary.

## UNITED STATES MILITARY ACADEMY

### INTRODUCTION

The Department of Defense (DoD) assessed the United States Military Academy's (USMA) policies, training, procedures, and initiatives for Sexual Assault Prevention and Response (SAPR) and Prevention of Sexual Harassment (POSH) Programs during Academic Program Year (APY) 2012-2013. The Department's SAPR and POSH programs assessment is organized by the 2013 DoD SAPR Strategic Plan. Policy compliance was measured against:

- DoD Directive (DoDD) 6495.01, *Sexual Assault Prevention and Response Program*, April 30, 2013;
- DoD Instruction (DoDI) 6495.02, *Sexual Assault Prevention and Response Program Procedures*, March 28, 2013;
- DoDD 1350.2 *Department of Defense Military Equal Opportunity Program*, November 21, 2003; and
- DoDD 1020.02 *Diversity Management and Equal Opportunity in the Department of Defense*, February 5, 2009.

Additionally, the Department looked at Service and Academy sexual harassment and assault policies:

- Army Regulation 600-20, *Army Command Policy*, September 20, 2012
- United States Military Academy Policy Memorandum 127-10, *Sexual Assault Prevention and Response (SAPR) Program*, July 20, 2012
- United States Corps of Cadets Circular 351-2, *New Cadet Handbook*, November 15, 2012
- United States Corps of Cadets Policy Memorandum 11-09, *Equal Opportunity Policy*, July 20, 2012
- United States Corps of Cadets Policy Memorandum 36-09, *Policy on Sexual Harassment*, July 20, 2012
- United States Corps of Cadets Policy Memorandum 46-09, *Equal Opportunity Complaint Procedures*, July 9, 2012

USMA is in compliance with the Department's policies regarding sexual harassment and sexual assault. USMA demonstrated an improved level of oversight and leadership investment in developing, coordinating, and synchronizing SAPR efforts in many facets of cadet life. The Department encourages USMA to focus on identifying and countering damaging gender-related misbehavior and misconduct that detract from a climate of dignity and respect.

USMA should continue to identify innovative measures to ensure prevention efforts are strong, ensure victims gain confidence to come forward and report, hold offenders appropriately accountable, and ensure cadets are offered proper support throughout

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#### **Overall Status of Compliance:**

*In Compliance*

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their academic career. USMA's SAPR and related programs and processes are discussed below by DoD SAPR Strategic Plan lines of effort. The information that follows adds to the Department's overarching observations made for all three MSAs made earlier in this report in the section entitled, "Assessment of MSA Programs: Findings Common To All Academies."

## LINE OF EFFORT 1: PREVENTION

### *Summary of Approach*

Prevention is the first line of effort in the DoD SAPR Strategic Plan. The objective of the Prevention line of effort is to deliver consistent and effective prevention methods and programs that reduce, with a goal to eliminate, the prevalence of sexual assault. The desired end state is a culture wherein all elements of military community work together to preclude criminal behavior and negate the opportunity for sexual harassment and assault. Prevention includes education and training as well as developing and sustaining a climate of dignity and respect. Identifying and mitigating high-risk behaviors and criminal threats are also essential. USMA is in compliance with the Prevention line of effort.

### *Status of Compliance Line of Effort 1:*

*In Compliance*

### **Strategy to Fostering a Climate of Dignity and Respect**

USMA has sustained momentum in building a climate of dignity and respect during APY 12-13. USMA leadership is working aggressively to eliminate sexual harassment, sexual assault, and the disrespectful behavior that predicates both problems. USMA leadership voiced a long-term commitment to these efforts, acknowledging that they plan to do more to grow and sustain their program over time to yield significant culture change. USMA leadership understands that culture change, particularly in a military environment, starts "at the top." The Superintendent emphasized that developing leaders of character is at the heart of the USMA mission, and teaching cadets about the Army value system is part of the ongoing dialogue. When addressing the Corps of Cadets about leadership characteristics and expectations, USMA leadership regularly addresses the expectation that cadets treat one another with respect and the implications for morale and mission accomplishment when cadets do not meet such expectations.

Leadership expects USMA cadets to live by the Cadet Honor Code<sup>26</sup> and treat others with dignity and respect throughout the 47-month experience at USMA. All senior leaders<sup>27</sup> dedicated a portion of their Reorganization Week<sup>28</sup> presentations to the

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<sup>26</sup> The Cadet Honor Code is "A Cadet will not lie, cheat, or steal, nor tolerate those who do."

<sup>27</sup> To include the Superintendent, the Commandant of Cadets, the Dean of Academic Board, and the Brigade Tactical Officer.

cadets' individual responsibilities in treating everyone with dignity and respect, stopping sexual harassment and sexual assault, and reporting these offenses should they occur. Senior leadership reinforced this expectation in a variety of venues and subsequent addresses.

Upon the reconvening of the Corps of Cadets in January 2013, each senior leader (to include the Superintendent, Commandant, Dean, and Brigade Tactical Officer) addressed the Corps. Their messages reinforced the USMA Mission<sup>29</sup> and emphasized cadets' roles and responsibility to treat self and others with dignity and respect in accordance with the Army Values and the Army Profession.

The Commandant of the Corps of Cadets plays an integral role in setting the appropriate command climate and promulgating the SAPR program through his direct oversight of cadets. After assuming his duties at USMA in January 2013, the Commandant demonstrated his commitment to communicating openly with cadets by addressing each class about eliminating sexual assault. As part of his address, he shared his newly gained perspective from talking with a former cadet who was victimized while at USMA. During his address, he also showed a video of the victim's experience to reinforce the victim's perspective. The Commandant also regularly holds sensing sessions, whereby he meets with various cadet affinity groups (e.g., African American cadets; 4<sup>th</sup> Class female cadets; lesbian, gay, bisexual, questioning cadets) to learn about their experiences at USMA. From these sessions, the Commandant affirmed his belief that female leadership roles need to be encouraged. He also affirmed his belief that trainings on sexuality policy need to be introduced and safety rules need to be reinforced. The Department believes these sensing sessions are a valuable method of understanding the climate of cadet life, and encourages the Commandant to sustain these sessions with the same and other cadets groups.

The Respect Mentorship Program (RMP) is designed to enable cadets to identify and address shortcomings in their personal adherence to the Army Value of Respect, and develop ethically guided decision-making skills. The RMP reinforces senior leaders' emphasis on living in accordance with the Cadet Honor Code and the Cadet Respect Creed.<sup>30</sup> The RMP, under the guidance of the Simon Center for the Professional Military Ethic, employs Cadet Respect Officers and NCOs in each cadet company to provide peer assistance in the cadet chain of command. The Respect Cadets promote cultural awareness, responsible alcohol use, prevention of sexual harassment and sexual assault, and equal opportunity. Cadet Respect Officers and NCOs are trained on how to foster an environment free from disparaging language and behavior.

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<sup>28</sup> Reorganization Week is the first week of each semester wherein cadets return to USMA to prepare for the commencement of the academic semester.

<sup>29</sup> The USMA Mission is "To educate, train, and inspire the Corps of Cadets so that each graduated is a committed leader of character committed to the values of Duty, Honor, Country, and prepared for a career of professional excellence and service to the Nation as an officer in the United States Army."

<sup>30</sup> The Respect Creed is "Cadets will treat others and themselves with dignity and worth and expect the same from those around them."



USMA instituted a new program in APY 12-13, the Cadets Against Sexual Harassment/Assault (CASH/A) program. The CASH/A program is a cadet initiative with oversight provided by the Corps of Cadets Sexual Assault Response Coordinator (SARC). The CASH/A Cadets are peer advisors and trainers assisting in their tactical leadership teams by providing timely information on prevention and response to sexual harassment complaints and sexual assault reports. Caring for one another is a basic function of the CASH/A Program—an extension of the Cadet Respect Creed. During APY 12-13, there were over 100 CASH/A Cadets.

Command leadership, behavioral scientists, and first responders provide initial training to CASH/A Cadets. The Corps of Cadets SARC and a Chaplain primarily provide the follow-on train-the-trainer sessions. CASH/A Cadet training in September 2012 and January 2013 addressed rape myths prevalent in college-aged cadets and military academy populations.

For the first time in APY 12-13, 26 CASH/A Cadets took the 80-hour Sexual Harassment/Assault Response and Prevention (SHARP) course. USMA counted the course as Military Individual Advanced Development (MIAD), which gives it a similar status as Airborne or Air Assault School and elevates the prestige of those participating in the CASH/A program. The course provides cadets a complete complement of tools and techniques to support their fellow cadets and the Corps of Cadets as a whole as sexual harassment and sexual assault subject matter experts.

The Department commends the employment of CASH/A Cadets, how USMA elevated the volunteer positions to a level of prestige, and USMA's intent to use CASH/A Cadets as resources in creating original and relevant briefings and outreach efforts to their fellow cadets. The CASH/A Program harnesses the cadets' desire to take care of one another, providing a peer-to-peer resource for victims and cadets who want to know more about SAPR resources at USMA. CASH/A Cadets do not currently serve as SAPR Victim Advocates (VA) and the Department believes the USMA should maintain their role as cadet subject matter experts and force multipliers for SAPR awareness and education rather than assign them as official SAPR VAs.

An influential element detracting from USMA's efforts to foster a culture of dignity and respect is members of the US Corps of Cadets who perpetuate attitudes and behavior that degrade their fellow cadets. The most observable example was within the rugby team. Members of the men's rugby team circulated a number of emails that illustrated a culture of disrespect towards women. This email chain was only exposed when one of the women discussed in the emails inadvertently discovered the material and reported it to USMA officials. Email, social media, and other forms of electronic communication make external detection of this kind of unacceptable behavior particularly difficult. When not challenged, the individuals involved in misbehavior and misconduct promulgate attitudes that disregard the desired cultural ideals and standards. Every member of the Corps of Cadets must adhere to the Cadet Respect Creed and have the social courage to stand up and report when someone is not living up to those ideals.

The Department encourages USMA to review and strengthen leadership of cadet groups, teams, and clubs in such a way that encourages mentoring and consultation between organizational leaders. Including a coach or faculty sponsor on all formal cadet and midshipman group communication distribution lists allows greater supervision of groups, teams, and clubs.

In addition, the Department encourages outreach and education to the alumni, cadet parents groups, and athletic communities to ensure that all USMA-sanctioned or private activities involving cadets align with USMA standards of conduct. Sanctioned activities, such as those with alumni sponsors, must adhere to alcohol policies, promote responsible use of alcohol, and promote behavior consistent with a climate of dignity and respect.

### **Training**

All of the Corps of Cadets received USMA SHARP training during APY 12-13 to include Professional Military Ethic Education (PME<sup>2</sup>) and Cadet Summer Training. USMA SHARP training follows the Be-Know-Do-Lead model, providing instruction and material with content readily usable by cadets.

In the first week of Cadet Basic Training, new cadets were taught the basic tenets of the SHARP program. This foundational knowledge is built upon throughout subsequent academic years and summer training experiences. Reporting options were emphasized in all SHARP training presentations, and are part of the “required knowledge” for new cadets.

Cadet SHARP training included lecture presentations presented by sexual assault subject matter experts and discussions facilitated by Tactical Officers (TAC) officers and/or CASH/A Cadets. Large audience style presentations were delivered by sexual assault prevention and response experts Dr. David Lisak<sup>31</sup> and Mr. Russell Strand<sup>32</sup> and also included the “Sex Signals” presentation by Catharsis Productions. USMA also identified a need to improve programming for male cadets; therefore SHARP personnel introduced One in Four Men’s Program.<sup>33</sup> The Department commends the USMA SHARP personnel for identifying and employing an effective means for helping men understand their role in SAPR. Published civilian research shows that this unique program has the dual benefit of educating men how to help women recover from a rape

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<sup>31</sup> Dr. David Lisak is clinical psychologist and nationally recognized forensic consultant, trainer and lecturer. His expertise is in the causes and consequences of interpersonal violence, to include sexual violence, child abuse, non-stranger rape, and the long term impact of childhood sexual abuse in adult men.

<sup>32</sup> Dr. Russell Strand is a retired U.S. Army CID special agent and the current chief of the Family Advocacy Law Enforcement Training Division at the U.S. Army Military Police School. He has specialized expertise, experience, and training in the area of domestic violence intervention, critical incident peer support, and sexual assault, trafficking in persons and child abuse investigations.

<sup>33</sup> One in Four Men’s Program is developed by One in Four, Inc., a non-profit dedicated to the prevention of rape by the application of theory and research to rape prevention programming.

experience while lowering men's rape myth acceptance and their self-reported likelihood to commit a sexual assault.

The Cadet cadre for Summer Garrison Regiment and Cadet Summer Training (the leadership and staff teams for new cadets) participated in facilitated discussions led by the Corps of Cadets SARC. The lessons and discussions focused on appropriate interactions and behaviors with trainee populations. The Corps of Cadets Equal Opportunity Advisor provided refresher training for the Cadet Summer Training Task Force (Active and Reserve Component Soldiers from a supporting Army unit at Fort Drum) which also included an overview of appropriate interactions with cadets and a refresher of the SHARP Program.

USMA faculty, staff, and support personnel participated in three hours of adult-learning style instruction, consisting of facilitated discussion and videos. A USMA SARC and/or SAPR VA discussed with the participants information about sexual harassment and sexual assault specific to USMA, gleaned from *2012 Service Academy Gender Relations (SAGR) Surveys* conducted by the Defense Manpower Data Center (DMDC). SHARP training is part of inprocessing for incoming West Point staff, faculty, and support personnel.

All current faculty, TAC officers, and TAC NCOs receive a USMA-specific version of the Army SHARP Pre-command Training, and that all future faculty, TAC officers, and TAC NCOs receive the same within 30 days of reporting for duty.

### **Education (Curriculum)**

In response to the outstanding Action Item to develop a comprehensive sexual assault prevention curriculum from the APY 10-11 MSA Report, USMA developed and incorporated SHARP-related lessons and

materials into the educational curriculum and lesson objectives of eight core courses during APY 12-13. The curriculum development was led by the USMA Dean of Academic Board with a team of USMA academic faculty and subject matter experts. The curriculum incorporates SAPR objectives that are relevant and complementary to the existing learning objectives. The new lessons were

incorporated into the following core academic courses, which cover the four-year education of the cadets: PL100-General Psychology for Leaders, PY201-Philosophy, PE213-Personal Fitness, SS202-American Politics, PL300-Military Leadership, MX400-Officership, PE450-Unit Fitness, and LW403-Constitutional Law.

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#### ***Promising Practice:***

*Incorporating sexual harassment and sexual assault materials into USMA Core Curriculum*

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The Department commends USMA for incorporating SHARP-related materials and learning objectives into the core curriculum. Feedback received in the focus groups informed the Department that cadets were “tired” of SHARP training and described

much of it as “irrelevant.” By integrating SAPR-relevant, learning topics into academic curricula cadets are exposed to the broader implications of disrespectful and criminal behaviors for soldiers, unit readiness, and the U.S. Army.

### **Mitigating High Risk Behaviors or Threats**

Risk reduction is a theme throughout USMA SHARP prevention training and education. The force protection mantra of “See Something, Say Something” is taught as applicable to sexual assault prevention, just as it is to physical security. Bystander intervention is a responsibility emphasized by West Point leaders during their Reorganization Week addresses to the Corps of Cadets<sup>34</sup>.

The Corps of Cadets leadership incorporated new force protection policy into the Standard Operating Procedure in September 2012. The policy requires all first year cadets, cadets enrolled in the Respect or Honor Mentorship Programs for disciplinary matters, and other cadets of concern (i.e., those undergoing a misconduct investigation) to collapse (i.e., physically move) to another room to prevent them from sleeping in a room alone during the weekends. The Collapse Plan is designed to improve accountability, supervision, and oversight by requiring defined checks by identified personnel.

USMA leadership continually develops, updates, and disseminates “X&Y” sexual assault cases—anonymous cases based on real scenarios used as discussion starters. The purpose of sharing the X&Y cases is to inform the cadets, as well as the Sexual Assault Review Board (SARB; see Line of Effort 3), staff, and faculty, of the kinds of sexual assault incidents occurring within the USMA community and demonstrate opportunities for bystander intervention and risk reduction. X&Y cases also serve as a teaching tool to explain the investigative, legal, and command challenges that sexual assaults present, and illustrate the victim’s perspective and the support required to recover from a sexual assault.

For further risk reduction, USMA should use a public broadcast mechanism (e.g., email or SMS text) to inform the Corps of Cadets and the larger West Point community of select sexual assault incidents, while respecting victims’ need for confidentiality. For example, two cadets were sexually assaulted in a similar manner in unrelated incidents at clubs in New York City during the past APY. Informing the community of such potential risks will build situational awareness and help cadets understand that they are not immune from assault.

### ***Conclusion***

In conclusion, the Department finds USMA is in compliance with the Prevention line of effort. The Department encourages continued emphasis on fostering a climate of dignity and respect to promote an environment free from sexual harassment and sexual

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<sup>34</sup> Leaders include the Superintendent, Commandant of Cadets, Dean of Faculty, and Brigade Tactical Officer. Reorganization Week occurs at the beginning of the APY, as the cadets return to USMA.

assault, while working to counter the negative influence of peer pressure at USMA. As described above, the following Prevention practices at USMA should be sustained or improved.

### *Sustain*

- Use of One In Four Men's Program for male cadets
- Sustain the use of X&Y cases at SARB meetings, and ensure those X&Y cases are shared with first responders that may not attend the SARB across USMA and the community
- Sustain Commandant Sensing Sessions communication efforts with the Corps of Cadets as means to obtain feedback on progress of building a climate of dignity and respect
- Employment of CASH/A as a desired and respected component of the Corps of Cadets
- Incorporation of SHARP-related materials and learning objectives into the core curriculum

### *Improve*

- Review and strengthen leadership oversight of cadets groups, teams, and clubs that allows for mentoring and consultation between leaders and ensure all formal cadet group communications include coach or faculty sponsor on distribution list
- Ensure all current faculty, TAC Officers, and TAC NCOs take a USMA-specific version of the Army SHARP pre-command training before beginning the school year, or within 30 days of arrival on station
- Develop a mechanism to quickly inform Corps of Cadets and West Point community of crime incidents, while respecting victims' need for confidentiality
- Conduct outreach to the alumni, cadet parents groups, and athletic communities to ensure that all USMA-sanctioned or private activities involving cadets align with USMA standards of conduct

## **LINE OF EFFORT 2: INVESTIGATION**

### *Summary of Approach*

Investigation is the second line of effort in the DoD SAPR Strategic Plan. The objective of Investigation is to achieve high competence in the investigation of sexual assault. The end state is where investigative resources yield timely and accurate results. The USMA Criminal Investigation Command (CID) office conducts all investigations of all unrestricted sexual assault reports in accordance with DoDI 5505-18, Investigation of Adult Sexual Assault (January 25, 2013), and applicable Army regulations. Victim confidence and participation is integral to a thorough investigation, and investigative techniques must maximize the recovery of physical and testimonial evidence while minimizing the

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### *Status of Compliance Line of Effort 2:*

*In Compliance*

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potential for victim re-traumatization. The Military Equal Opportunity Office addresses most sexual harassment allegations by cadets. However, from a criminal perspective, sexual harassment complaints can be investigated by CID if there is any question about the nature of the offense. The investigation by CID into sexual harassment complaints concludes only when it is determined that the underlying act was a non-criminal act and not sexual assault.<sup>35</sup> USMA is in compliance with the Investigation line of effort.

### **Relationship and Collaboration between USMA CID and USMA**

USMA CID agents have a productive working relationship with USMA leadership. CID agents work closely with the Superintendent's Staff Judge Advocate (SJA) attorneys supporting the Superintendent and the Commandant of Cadets and with USMA SHARP personnel. In the past year, CID conducted an internal review process to improve their thoroughness and timeliness in reporting and investigative activity. CID continually provides the SJA updates throughout the investigation. The SJA assists CID by identifying legally relevant leads for investigation. At the conclusion of each investigation, CID provides the SJA with case materials and a briefing before requesting a final legal review and opinion on the legal sufficiency of the case. Final reports of investigation are provided to the Superintendent for command action.

### **USMA CID Approach to Victim Communications (improving participation and confidence)**

Sustaining victim participation in the investigative process is a priority for USMA CID agents. Maintaining victim confidence and keeping the victim informed throughout the investigation are fundamental to continued participation. Upon receipt of an Unrestricted Report, USMA CID accommodates a victim's needs so long as it does not interfere with an independent investigation. The investigative process is thoroughly explained to victims so they are aware of the importance of any potential physical, digital, serological, and testimonial evidence they may have in their possession. CID also explains that investigation is often a lengthy process and helps victims set their expectations as to investigation length. CID addresses the victim's questions and concerns and allows them to select how often they are updated with the progress of the investigation. Most victims choose to be briefed monthly, but may change the frequency of their update at any time.

### **USMA CID Special Training**

Every USMA CID agent attended the U.S. Army Military Police School Special Victim Unit Investigation Course (SVUIC) at Fort Leonard Wood, Missouri and has received annual refresher training on sexual assault investigations. In the SVUIC, agents learned investigative and interview techniques that consider the victim's safety,

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<sup>35</sup> Sexual harassment does not fall under the purview of the SAPR program and therefore is not addressed in the DoD SAPR Strategic Plan. The Diversity Management and Equal Opportunity (DMEO) program establishes guidance for the processing of sexual harassment complaints.



emotional state of mind, and general well-being. Agents also learn and practice specific interview techniques that consider the impact of trauma on victim memory.

### **Timely and Accurate Results in Investigations**

The USMA CID conducts each investigation with an eye towards timeliness. The SARB provides a regular, formal opportunity for the chain of command to engage with CID on investigation progress. However, USMA CID does not have to wait for a SARB meeting to communicate status updates. Rather, USMA CID works continuously with the chain of command when resources and/or witness availability is required.

### ***Conclusion***

In conclusion, the Department finds USMA is in compliance with the Investigation line of effort. Based on a brief review of several investigations by SAPRO team members, it appears the USMA CID office conducted thorough and timely investigations. Exploring opportunities for efficiencies (e.g., when seeking evidence analysis, looking for digital forensic laboratories with faster turnaround times) may help keep victims engaged in the investigative process. As described above, the following investigation practices at USMA should be sustained.

### ***Sustain***

- Maintaining victim confidence by keeping the victim informed throughout the investigation at the frequency of the victim's choosing and by addressing the victim's questions and concerns

### ***Improve***

- No deficient areas requiring improvement identified.

## **LINE OF EFFORT 3: ACCOUNTABILITY**

### ***Summary of Approach***

Holding alleged offenders appropriately accountable is the objective of the Accountability line of effort. The DoD provides a fair and equitable system of accountability that promotes justice and assists in maintaining good order and discipline. Attorneys and commanders are a critical part of this system of accountability and are the center of gravity to the third line of effort. Commanders have the

responsibility of establishing good order and discipline, holding perpetrators appropriately accountable, and establishing a climate that is intolerant of behaviors that condone or ignore sexual harassment and sexual violence. Attorneys (the

Superintendent's SJA, prosecutors, and defense attorneys) promote justice through their support to the military justice system—either directly to the Commander, when

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### ***Status of Compliance Line of Effort 3:***

*In Compliance*

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prosecuting a sexual assault case or other crime under the Uniform Code of Military Justice (UCMJ), or supporting a victim or defendant as legal assistance counsel. USMA is in compliance with the Accountability line of effort.

### **SAPR and POSH Program Oversight**

SAPR and POSH programs accountability is commensurate with the commitment and involvement of West Point leadership. The Superintendent of USMA provides oversight of USMA and garrison sexual assault prevention and response efforts. In this role, the Superintendent chaired the monthly case management review meeting, the SARB<sup>36</sup>.

When the Superintendent's schedule presented a conflict, the SARB meeting was rescheduled to accommodate his attendance. At each meeting, the SAPR program was reviewed, as were upcoming events, and recently closed and open

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#### ***Promising Practice:***

#### ***Cross-training in Case Management Meetings***

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sexual assault cases (including a discussion of X&Y cases). A new development to the SARB, instituted by the Superintendent during APY 12-13 and a now a promising practice,<sup>37</sup> is the SARB cross-training program. At each meeting, attendees received training on each step of the sexual assault response process<sup>38</sup> as presented by the appropriate SARB participant. The training, in addition to the X&Y case discussion and case review, presented an opportunity for in-context understanding and enhanced awareness of sexual assault programs, policies, and trends. SARB members commented about the benefits afforded by the cross training—having a broader understanding of each step in the process allows SARB members to better explain the response process to victims and/or units or organizations.

At the disposition of a sexual harassment complaint or other behavioral issue, the Superintendent may determine a nonjudicial punishment is most appropriate. In addition to the prevention function described in Line of Effort 1, another function of the

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<sup>36</sup> Attendees include USMA staff (Superintendent, Dean, Director of Intercollegiate Athletics, Chief of Staff, Chaplain, SJA, ODIA Senior Women's Administrator, SHARP Program Manager, EO Advisor/Victim Advocate); Corps of Cadets [Commandant, Command Sergeant Major, SARC/SAC-HR, USMAPS Commandant, USMAPS SARC, Director of the Center for Personal Development, Brigade Surgeon, Commander of Victims(s)]; and Garrison and Tenants (Commander, U.S. Army Garrison-West Point; SARC, U.S. Army Garrison-West Point; Victim Advocate, U.S. Army Garrison-West Point; Director Emergency Services/Provost Marshal; EEO; ASAP; CID Special Agent in Charge; Keller Army Community Hospital Commander; and Behavior Health representatives).

<sup>37</sup> Promising Practice—Identified practice that has worked within at least one organization and shows promise during its early stages for becoming a best practice with long term sustainable impact; some basis for claiming effectiveness.

<sup>38</sup> Topics include reporting options, report intake, victim reception at a medical facility, SAFE Kits Commander's actions, SARC and VA roles, options for assistance resources (legal assistance, chaplaincy, counseling on- and off-post), investigative techniques, commander's follow-on actions, disciplinary options, CID final reports, Commander Reports of Disciplinary Actions, and Restricted Reports.

RMP<sup>39</sup> is to provide a nonjudicial disciplinary option that is designed to enable punished cadets to identify and address shortcomings in personal adherence to the Army Value of Respect and develop ethically guided decision-making skills. RMP enrollees learn to understand the impact of sexual harassment from the victims' perspective. RMP employs the Army's SHARP training materials and provides mentees the opportunity to understand the disrespect involved in sexual harassment situations. In APY 12-13, the RMP revised their procedures, giving greater authority and integrity to the program. Also, a new development to the RMP in APY 12-13 was the introduction of "The Invisible War" documentary as educational material to help broaden perspectives on sexual misconduct. The mentors in the RMP emphasized that sexual harassment is a leadership issue, not just a gender issue. Mentors included NCOs and officers or civilian instructors at USMA.

The Commandant also provides oversight to SAPR and POSH programs. He hosts weekly meetings with the SARC, representatives from the RMP and the Honor Program, senior enlisted advisors (Command Sergeants Major), and the USMA JAG office in addition to the monthly SARB meetings. These weekly meetings keep the Commandant and his leadership team apprised of relevant issues as they arise and allow for quick mitigation and response.

### **Attorney Special Training**

Most attorneys at USMA have received specialized training commensurate to their involvement in and/or oversight of sexual assault cases. Prosecuting attorneys have also taken courses such as forensic interview courses and a new prosecutor's course that focused largely on prosecuting sexual assaults (part of the Army's Trial Counsel Assistance Program).

Not all legal assistance attorneys had received specialized sexual assault training beyond the annual mandatory SAPR program training. USMA should ensure all legal assistance attorneys receive training specific to sexual assault to understand the nature of the crime, the potential for victims to be involved in collateral misconduct, and how best to defend cadets involved in these allegations when going before the Honor Board.

The lead prosecutor also held a cross training session with all sexual assault responders (to include medical personnel and CID, among others) to discuss their respective roles in the response and justice process. This opportunity helped the participants to better understand the different perspectives and needs of each functionary when working the same crime.

### ***Conclusion***

In conclusion, the Department finds USMA is in compliance with the Accountability line of effort. The Superintendent and the Commandant of Cadets are increasingly committed to eliminating sexual assault, sexual harassment, and disrespectful behavior.

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<sup>39</sup> RMP may not be used as a disciplinary option in sexual assault cases.

To maintain good order and discipline, USMA leadership sets high standards for cadet behavior and takes steadfast and decisive action through different channels after deliberating about an incident or sexual assault case. The SJA works closely with the prosecutors and the chain of command from investigation through final case disposition. The prosecutor and victim witness assistance personnel keep the victim informed throughout the process. The prosecutor and SJA also work closely with behavioral health specialists, VAs, and CID. The attorneys have balanced their workloads to ensure proper and thorough administration of legal and judicial processes. As described above, the following accountability practices at USMA should be sustained or improved.

### *Sustain*

- Efforts to enhance the authority of the RMP as a means for educating and rehabilitating cadets
- Commandant Weekly Meetings with the SARC, RMP and Honor Program representatives, the Command Sergeants Major, and USMA JAG Office

### *Improve*

- Ensure all legal assistance attorneys receive specialized sexual assault training

## **LINE OF EFFORT 4: ADVOCACY/VICTIM ASSISTANCE**

### *Summary of Approach*

Advocacy and Victim Assistance is the fourth line of effort in the DoD SAPR Strategic Plan. Delivering consistent and effective victim support, response, and reporting options is the objective, while the end state is providing high quality services and support to instill confidence and trust, strengthen resilience, and inspire victims to report. Victims need to be offered medical care, counseling, legal assistance, and victim witness assistance, all in a safe environment that encourages reporting and respects confidentiality. Critical to successful advocacy and victim assistance are trained and knowledgeable professionals who are known and available to cadets and whose services and programs inspire victim reporting. USMA is in compliance with the Advocacy/Victim Assistance line of effort.

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### *Status of Compliance Line of Effort 4:*

*In Compliance*

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### **Victim Advocacy Services**

USMA provides victim support services, most of which are available 24-hours a day, 365 days a year. A victim has access to the on-call SARC or SAPR VA to file a report and obtain medical care. The SART begins response efforts as soon as a victim presents him or herself at the Emergency Room, at a SHARP responders' office, or via the phone. Medical care is available (on- and off-base), as are mental health and chaplaincy services.

USMA has men and women serving in SHARP personnel positions, and victims are provided support by personnel deemed to be “good fit” for the victim’s needs.

### **Cadet Awareness of Victim Advocacy Services (SAPR Outreach)**

USMA communicates the availability of victim advocacy, assistance services, and reporting procedures through multiple methods. USMA SHARP professionals cover response procedures and available resources during inprocessing training,<sup>40</sup> annual training, at the Community Fair, and at cadet training sessions. *Pointer View*, the weekly paper for the West Point community, publishes contact information for SHARP personnel and victim resources<sup>41</sup> and covers Sexual Assault Awareness Month activities. The Corps of Cadets’ intranet website provides comprehensive coverage of the SHARP Program. However, the intranet website erroneously lists the Chaplains and emergency room (i.e., emergency room personnel only) as able to take Restricted Reports. This needs to be corrected immediately so that it reads the recipients of Restricted Reports are SARCs, SAPR VAs, and all healthcare personnel.<sup>42</sup>

CASH/A Cadets are force multipliers within the Corps of Cadets, as they serve as trained SHARP program information resources in the barracks and in their units. CASH/A Cadets are able to explain the reporting process for complaints of sexual harassment and incidents of sexual assault and can share the resources available to interested parties in a personal setting. USMA SHARP personnel distribute DoD Safe Helpline and Army SHARP materials (key fobs, wallet cards, and posters) during training sessions, including inprocessing training, and use Army SHARP Program expandable presentation backgrounds for use at information tables during the Community Fair and Plebe Parent Week.

### **Training: SARCs, SAPR VAs, Service Providers, CASH/A Cadets, EO Officers**

USMA has 34 personnel who have attended the 80-hour Army SHARP Training course. All assigned SARCs and SAPR VAs at USMA are certified through the DoD Sexual Assault Advocate Certification Program (D-SAACP).

The monthly SARB meetings (see Line of Effort 3) and quarterly SART training sessions provide additional learning and training opportunities for first responders. The SART (which is comprised of SARCs, SAPR VAs, health care providers, SJA, and CID)

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<sup>40</sup> Cadets receive their first block of SHARP instruction from a SARC within the first 72 hours of arrival. The initial block serves as their introduction to the SHARP Program and West Point responders and complements the required knowledge contained in the New Cadet Handbook. Cadets learn the definitions of sexual harassment and sexual assault, how to address/report incidents, and to whom reports of assault and/or complaints of harassment may be rendered.

<sup>41</sup> Contact information is provided for: West Point SHARP Helpline; DOD Safe Helpline; USCC SARC; Garrison SARC; Installation Victim Advocate; local off-base resources; Military Police Desk; Social Work Service; and Keller Army Community Hospital Emergency Room.

<sup>42</sup> DoDI 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures, Enclosure 4, “Reporting Options And Sexual Assault Reporting Procedures,” March 28, 2013



training sessions reflect on the responses provided over the preceding months and lessons learned that are identified for the entire group to consider. The focus is to ensure each victim feels understood, has his or her safety issues addressed, understands reporting options, and knows what assistance resources are available. Some SART members attended Dr. Anne Munch's training at Tobyhanna Army Depot in September 2012, and others traveled to the Naval Academy to discuss best practices and overcoming challenges common to MSAs when preventing and responding to sexual assaults.

Health care providers at Keller Army Community Hospital and the Mologne Cadet Health Clinic have taken either the 80-hour Army SHARP course or other sexual assault training, some specific to their role.<sup>43</sup> Health care providers can take the Medical Response Team training, which addresses victim care from reporting through the end of the military justice system. SAPR VAs at Keller Army Community Hospital who took this training commented believed it to be quite beneficial.

Interviews with collateral duty SAPR VAs disclosed that they did not believe they were sufficiently prepared for their sexual assault victim advocacy role after taking the 80-hour SHARP course. They stated to the team that the training they had received as Equal Opportunity Representatives prepared them more for their advocacy role than the SHARP training did. Therefore, the Department of the Army should implement the recommendations from the *DoD Observation of SARC/SAPR VA SAPR Training Report*<sup>44</sup> to enhance existing practical exercises to ensure course effectiveness.

The Chaplains at USMA received SHARP training and additional SAPR-related chaplaincy training provided by the USMA SARC.

For the first time in APY 12-13, 26 CASH/A Cadets were allowed to take the 80-hour SHARP course during the summer, and have it count as a MIAD at USMA. This allowance made it equivalent to Airborne or Air Assault School in a cadet development.

The USMA POSH program enjoys commendable support and participation from a wide range of cadets, faculty, staff, and SHARP personnel. The CASH/A and credentialing programs are noteworthy in this regard. DoD Military Equal Opportunity (MEO) policy calls for personnel not assigned to MEO billets who are involved in investigating sexual harassment complaints, providing sexual harassment prevention training, or working in victims' assistance and support programs to receive the training necessary for them to carry out these MEO-related duties. USMA should submit the locally produced POSH or SHARP-developed training plans, used by such personnel to the DEOMI for review and comment consistent with DoD policy.

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<sup>43</sup> For example, the OBGYN physician is trained to perform SAFEs and has also attended sexual assault medical management courses in addition to civilian OBGYN sexual assault courses.

<sup>44</sup> Published December 2012



While not a traditional victim advocacy service provider role, some officer, enlisted, and civilian representatives (to include those leading off-campus activities) may be in a situation where they are the only resource to direct a victim to SAPR services. For example, an athletic team traveling to a game may require victim services for a team member. USMA should identify the appropriate level of sexual assault response training and explanation of their responsibilities to all personnel who may be in a situation where they are a sole provider of SAPR services so they are prepared in case a sexual assault occurs.

### Conclusion

In conclusion, the Department finds USMA is in compliance with the Advocacy/Victim Assistance line of effort. Attendees of the SARB and SART commented on the beneficial cross training that was introduced as a regular practice during APY 12-13. The collaboration among service providers is effective in getting the victims the support they need. As described above, the following advocacy/victim assistance practices at USMA should be sustained or improved.

### Sustain

- The SARB and SART focus on collaboration and cross training
- Summer MIAD SHARP training for CASH/A Cadets

### Improve

- Remove the Chaplains from the Corps of Cadets' intranet website that erroneously includes them in a list of personnel who can take Restricted Reports
- The Department of the Army implements the recommendation from the *DoD Observation of SARC/SAPR VA SAPR Training Report* to enhance existing practical exercises to provide greater opportunities for practice and application of new knowledge and skills
- Submit the locally produced POSH or SHARP-developed training plans, to the DEOMI for review and comment consistent with DoD policy
- Identify appropriate level of sexual assault response training and procedures and provide on an annual basis to officer, enlisted, and civilian representatives (to include those leading off-campus activities)

## LINE OF EFFORT 5: ASSESSMENT

### Summary of Approach

The fifth line of effort in the DoD SAPR Strategic Plan is Assessment. The Department aims to effectively standardize measure, analyze, assess, and report program successes. Assessment is an enduring process of data collection and analytics designed to improve program effectiveness, and is embedded within the four other lines of effort. The end state is to incorporate responsive, meaningful, and accurate systems of measurement

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### Status of Compliance Line of Effort 5:

*In Compliance*

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and evaluation into every aspect of SAPR programs in order to determine their effectiveness. USMA is in compliance with the Assessment line of effort.

### **Outcome Based Metrics that Measure Program Performance**

USMA conducts continual analysis of reporting trends as part of the SARB responsibilities and in response to queries and oversight visits throughout the APY. Unrestricted Reports are analyzed to identify trends to inform SAPR programs and initiatives. During APY 12-13, APY 11-12 trends refined focus for SHARP training in the following areas:

- Reemphasize importance of the buddy system, especially when travelling away from the academy;
- Continue discussions to dispel "Rape Myths" and improve understanding of the nature of sexual assault in the military;
- Reinforce importance of respect and setting personal boundaries;
- Reinforce the purpose of USMA policies and regulations for appropriate behavior in the barracks.<sup>45</sup>

In addition to data from Unrestricted Reports, USMA reviews trends in misconduct and alcohol offense data from CID, SJA, cadet disciplinary actions, and RMP records. USMA attributes improved behavior trends (not limited to sexual assault) to a renewed focused on cadets' leadership responsibilities and overcoming cultural norms of friendship and loyalty to maintain higher standards. USMA credits an increase in professionalism among the Corps of Cadets to recent changes in the dress code, whereby upperclassmen are no longer permitted to wear civilian clothing in the barracks.

USMA has identified, but not developed or implemented, potential metrics to measure changes in behavior and attitudes to improve effectiveness of prevention efforts, as well as metrics generally relating to the SHARP program. USMA is also considering implementation of draft metrics developed at the United States Air Force Academy (USAFA). The Department encourages the further development, adaptation and implementation of metrics, particularly the metrics developed by USAFA, for more meaningful program assessment.

The USMA Inspector General (IG) reviewed the Corps of Cadets and USMA SHARP Program in APY 12-13 to assess Corps of Cadets policies, training, and procedures regarding sexual harassment and assault involving cadets and cadet candidates as well as the effectiveness of the SHARP. Among their recommendations was to conduct a semi-annual cross training meeting for all first line SHARP first responders. They found the cross training included in SARB meetings was beneficial for response leaders in attendance, but cross training could be expanded to first line responders. The Superintendent adopted all recommendations from the IG report. USMA should be

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<sup>45</sup> Policies and regulations about alcohol, fraternization, social media, attire, and sexual relationships.

commended for formalizing the oversight of implementing the IG recommendations through the SARB.

### **Climate Assessment**

USMA currently uses the SAGR survey and focus groups, conducted by DMDC, as a reliable method for climate assessment. In addition to these methods, USMA needs to involve cadets in command climate assessment surveys at the company/small-unit-level (for cadets and Prep School cadet candidates).<sup>46</sup> If implemented, USMA should provide results of the command climate assessment surveys to the cadet leadership and to the next level up the chain of command in accordance with the May 6, 2013 Secretary of Defense direction.<sup>47</sup>

### ***Conclusion***

In conclusion, the Department finds USMA is in compliance with the Assessment line of effort. USMA collects data, analyzes reporting trends, and in turn adjusts program implementation. However, USMA is encouraged to develop comprehensive outcome-based metrics—beyond reporting trend analysis—for prevention and response performance in order to fully mature the SAPR program. As described above, the following assessment practices at USMA should be sustained or improved.

### ***Sustain***

- Formalizing the oversight of implementing the IG recommendations through the SARB

### ***Improve***

- Appoint an office of primary responsibility at USMA to develop, implement and track metrics
- Consider conducting command climate assessment surveys at the small unit-level (for cadets and Prep School cadet candidates) and provide results of the survey to surveys to the cadet leadership and to the next level up the chain of command

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<sup>46</sup> Direction provided in the Fiscal Year 2013 National Defense Authorization Act and the Under Secretary of Defense for Personnel and Readiness Memorandum on Command Climate Assessments, dated July 25, 2013.

<sup>47</sup> Direction provided in the Secretary of Defense Memorandum on Sexual Assault Prevention and Response, dated May 6, 2013. The subject provision was to be implemented by July 31, 2013.

## ASSESSMENT OF RECOMMENDATIONS FROM PREVIOUS REPORTS

The Department provided thirty-two recommendations and actions items from the APY 08-09 and APY 10-11 Reports, seven of which remained incomplete entering APY 12-13. The Department assessed the status of the seven incomplete recommendations and action items. The Department found sufficient evidence to close five recommendations, while two remain open.

1. **Action:** Develop outcome-based metrics for prevention and efforts and trend analysis around changes to the SAPR Program.  
**Status:** In progress. USMA has identified metrics for trend analysis but has not developed metrics. USMA is reviewing draft metrics developed by USAFA.
2. **Action:** Develop a comprehensive sexual assault prevention curriculum.  
**Status:** Complete. USMA developed comprehensive sexual assault prevention curriculum, integrated in eight core curriculum courses.
3. **Action:** Address collateral misconduct misperceptions in training.  
**Status:** Complete. The USMA Superintendent signed a directive in July 2012 that withholds adjudication of collateral misconduct until after reports of sexual assault are investigated and cases are closed and afforded due process. SHARP training for cadets, faculty, and staff includes addressing collateral misconduct and the primacy of caring for the victim.
4. **Action:** Implement the APY 08-09 recommendation to provide at least one fulltime SAPR VA for cadets so that the psychotherapists on staff can exclusively focus their specialized skills on providing mental health services.  
**Status:** Complete. Psychotherapists on staff exclusively provide mental health services.
5. **Action:** USMA should request resources to support the employment of one or more full-time SAPR VA(s) who will exclusively focus on providing advocacy services to the cadet population. The level of confidentiality a SAPR VA would have under this arrangement will need to be explored.  
**Status:** In progress. The Army-wide hiring freeze of SAPR personnel prevented the hiring of additional resources before the end of APY 12-13.
6. **Action:** Utilize existing resources to create strategic planning efforts for the USMA's SAPR Program.  
**Status:** Closed. SAPR initiatives were incorporated in the USMA Strategic Plan 2013-2019.
7. **Action:** Conduct inspection of the USCC SAPR Program.  
**Status:** Complete. The USMA IG inspected the USMA's USCC SAPR Program in November 2012 and reported in April 2013.

USMA must implement the remaining recommendations from the APY 08-09 Report, as well as the necessary action items put forth in the APYs 10-11 and 12-13 Reports in a timely manner. Additionally, USMA will provide an update on the implementation before the end of the APY 13-14.

## UNITED STATES NAVAL ACADEMY

### INTRODUCTION

The Department of Defense (DoD) assessed the United States Naval Academy's (USNA) policies, training, procedures, and initiatives for Sexual Assault Prevention and Response (SAPR) and Prevention of Sexual Harassment (POSH) Programs during Academic Program Year (APY) 2012-2013. The Department's SAPR and POSH programs assessment is organized by the 2013 DoD SAPR Strategic Plan. Policy compliance was measured against:

- DoD Directive 6495.01, *Sexual Assault Prevention and Response Program*, April 30, 2013;
- DoD Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*, March 28, 2013;
- DoD Directive 1350.2 *Department of Defense Military Equal Opportunity Program*, November 21, 2003; and
- DoD Directive 1020.02 *Diversity Management and Equal Opportunity in the Department of Defense*, February 5, 2009.

Additionally, the Department looked at Service and Academy sexual harassment and assault policies:

- Chief of Naval Operations Instruction 5354.1F, *Navy Equal Opportunity (EO) Policy*, September 20, 2011
- Chief of Naval Operations Instruction 5800.7A, *Victim and Witness Assistance Program*, March 4, 2008
- Secretary of the Navy Instruction 5300.26D, *Department of the Navy (DON) Policy on Sexual Harassment*, January 3, 2006
- United States Naval Academy Instruction (USNAINST) 1752.1G, *Sexual Assault Prevention and Response Program*, October 7, 2013
- United States Naval Academy Instruction 5354.5C, *Prevention and Deterrence of Sexual Harassment, Misconduct & Assault*, June 23, 2011

USNA is in compliance with the Department's policies regarding sexual harassment and sexual assault. USNA has demonstrated a commitment to increasing awareness of sexual assaults and harassment at the Academy, developing and conducting high quality training, and improving the victim experience. The Department encourages USNA to focus on identifying and countering misbehavior and misconduct that detract from a climate of dignity and respect, continue their incorporation of sexual assault prevention learning objectives in core curricula, and developing and implementing metrics to measure prevention and program effectiveness. USNA's SAPR and related programs and processes are discussed

### Overall Status of Compliance:

*In Compliance*

below by DoD SAPR Strategic Plan lines of effort. The information that follows adds to the Department's overarching observations made for all three MSAs made earlier in this report in the section entitled, "Assessment of MSA Programs: Findings Common To All Academies."

## LINE OF EFFORT 1: PREVENTION

### *Summary of Approach*

Prevention is the first line of effort in the DoD SAPR Strategic Plan. The objective of the Prevention line of effort is to deliver consistent and effective prevention methods and programs that reduce, with a goal to eliminate, the prevalence of sexual harassment and sexual assault. The desired end state is a culture wherein all elements of military community work together to preclude criminal behavior and negate the opportunity for sexual harassment and sexual assault. Prevention includes education and training as well as developing and sustaining a climate of dignity and respect. Identifying and mitigating high-risk behaviors and criminal threats are also essential. USNA is in compliance with the Prevention line of effort.

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### *Status of Compliance Line of Effort 1:*

*In Compliance*

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### **Strategy to Fostering a Climate of Dignity and Respect**

USNA leadership spent considerable effort in APY 12-13 educating midshipmen of sexual assault awareness, improving SAPR programs and USNA Sexual Harassment and Assault Prevention Education (SHAPE) Program curriculum, and implementing DoD and Navy Fleet best practices in the Academy environment.

USNA leadership sustained a prevention message from every level of command, stressing the safety and professional conduct expected of midshipmen during the three day "Stampout" Stand-down. Conducted during the Brigade Reform in January 2013, midshipmen were addressed by the Secretary of the Navy, the Chief of Naval Operations, the Superintendent, the Commandant of Midshipmen, and the USNA Sexual Assault Response Coordinator (SARC) on the findings from the *2012 Service Academy Gender Relations (SAGR) Survey* conducted by the Defense Manpower Data Center (DMDC). At this address, leadership explained the implication of the survey on the USNA population, reinforced the seriousness of sexual assault, and emphasized Brigade ownership and investment in solving the problem. The SARC and the SAPR VAs led small group discussions and training sessions with members of each class.

As part of the "Stampout" Stand-down in January 2013, the Secretary of the Navy and the Chief of Naval Operations delivered a stern message emphasizing Navy leadership's concerns and expectations for the future. While such direct leadership



engagement is highly encouraged, focus group response data and feedback received at the on-site assessment noted unintended consequences of this engagement:

- A few victims who had previously reported a sexual assault said they left the address feeling as though they had failed, brought discredit to the academy, and that they were to blame for the alarming statistics in the SAGR survey.
- Other victims who reported a sexual assault after the address said they felt “shamed” into reporting.
- Some of the midshipmen participating directly in the SAPR program were discouraged by the address, feeling they were to blame for the increase in assaults and unappreciated for their efforts.
- Some male midshipmen perceived they were being unfairly characterized as “potential rapists” by the messaging in the address.

An influential element detracting from USNA’s efforts to foster a culture of dignity and respect are midshipmen that perpetuate attitudes and behavior contrary to academy values. The most observable example was exhibited by the midshipmen who went against academy rules and rented a house in Annapolis, MD, with the assistance of a sponsor family. The house members hosted an undisclosed number of parties where alcohol was reportedly served to minors. The house was also the scene of an alleged sexual assault involving midshipmen members of the football team. Coaches, faculty and officer representatives should be aware of this misbehavior and misconduct and work to mentor and lead midshipmen to live up to the USNA Mission<sup>48</sup> and core values of honor, courage, and commitment. USNA should identify those factors within the environment that give rise to and sustain these damaging behaviors and work to counter them through education, policy, and holding violators appropriately accountable. (Note: Post on-site assessment, USNA reported that the Superintendent addressed all coaches, trainers, faculty, and officer representatives as well as each of the teams individually regarding expectations.) USNA should include in its APY 13-14 self-assessment their plan to empower midshipmen to safely intervene with peers and report misbehavior and misconduct.

A newly created Sexual Harassment and Assault Task Force was established in the second semester of APY 12-13.<sup>49</sup> The purpose of the Task Force was to provide an initial assessment of the current culture and climate at USNA that may unintentionally promote or support incidents of gender bias, sexual harassment and sexual assault; create or support an environment that prevents individuals from formally reporting these incidents; and ultimately provide recommendations for additional in-depth and target focused assessments and actions. As a follow-on to the Task Force, the

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<sup>48</sup> The USNA Mission is “To develop midshipmen morally, mentally and physically and to imbue them with the highest ideals of duty, honor and loyalty in order to graduate leaders who are dedicated to a career of naval service and have potential for future development in mind and character to assume the highest responsibilities of command, citizenship and government.”

<sup>49</sup> Task Force members included personnel from the Maryland Coalition Against Sexual Assault (MCASA), DoN SAPRO, Drs. Kilmartin and Foubert (Task Force Support Members and original designers of SHAPE), Naval Academy Athletic Association (NAAA), USNA alumni, USNA SAPRO, the Leadership, Ethics and Law Department, and current midshipmen.

Superintendent established a USNA SAPR Advisory Panel<sup>50</sup> to operate as a standing committee to examine the Task Force findings and develop an Institutional Strategic Plan. The USNA SAPR Advisory Panel reports its recommendations regarding the Strategic Plan and proposed courses for execution directly to the Superintendent.

USNA leadership, in particular the Superintendent and the Commandant of Midshipmen, assessed best practices<sup>51</sup> with the Department of the Navy and at other colleges and universities. During the academic program year, the Superintendent visited the Training Support Command (TSC) Great Lakes and continues to discuss SAPR issues with university presidents of the Patriot League, Ivy League, and Maryland-based universities. Since the on-site assessment, the Superintendent has visited other Midwest and west coast universities. The Commandant of Midshipmen visited the Naval Education and Training Command (NETC) in Pensacola and met with University of Maryland University Dean of Students to discuss SAPR issues. Among the most promising practices<sup>52</sup> implemented is USNA leadership's work to reduce the potential for misconduct with the assistance of local businesses (see discussion below in *"Mitigating High Risk Behaviors or Threats"*).

During APY 12-13, USNA leadership engaged the USNA community to foster a climate of prevention and SAPR awareness. Officer and Senior Enlisted volunteers served as Fleet SHAPE Mentors, participating in SHAPE classroom sessions and providing a "real world, fleet" perspective on lesson objectives, role-playing, and decision-making. Company Officers and Senior Enlisted Non-Commissioned Officers were trained and qualified as Master Mobile Training Team members and facilitated SAPR-Fleet (SAPR-F) training at USNA during APY 12-13.

Selected midshipmen were trained to serve as SHAPE Peer Educators and/or Midshipmen "GUIDES" (Guidance, Understanding, Information, Direction, Education), supporting the brigade as subject matter experts in sexual assault prevention. Midshipmen involvement provides leadership continuity throughout the Brigade chain of command and provides a peer resource on the USNA SAPR program. USNA increased the number of GUIDES available to provide information from 30 in APY 11-12 to 49 GUIDES in APY 12-13.

During APY 12-13, USNA SAPRO leadership involved the larger community in SAPR efforts. Parents, Blue and Gold Officers (Naval Academy Information Officers aligned with the Admissions Department), and Sponsor parents were educated on the sexual harassment and sexual assault programs and expected standards of conduct for midshipmen. The Department encourages further outreach and education to these groups to ensure that all USNA-sanctioned or private activities involving midshipmen align with USNA standards of conduct.

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<sup>50</sup> Advisory Panel members include USNA staff, faculty, alumni, and selected midshipmen.

<sup>51</sup> As defined by the Department of the Navy

<sup>52</sup> Promising Practice—Identified practice that has worked within at least one organization and shows promise during its early stages for becoming a best practice with long term sustainable impact; some basis for claiming effectiveness.

## **Training**

USNA views training and education as the key feature in their prevention efforts. USNA's SHAPE Program curriculum is a highly developed sexual assault awareness and prevention curriculum. In APY 12-13, USNA developed a new, strategic training and education plan and program under the guidance of the Director of Sexual Assault Education and Clinical Services and the Sexual Assault Training Specialist. The SHAPE Program consists of a four-year curriculum of small group, discussion-based learning opportunities. Classroom lessons are paired with guest lecturers. In APY 12-13, USNA midshipmen had guest lectures from the One in Four, Inc. organization (Men's Program),<sup>53</sup> "Sex Signals" by Catharsis Productions, Coach Joe Ehrmann<sup>54</sup>, and Anne Munch, JD.<sup>55</sup>

Training sessions were facilitated by first, second, and third class midshipmen trained as Peer Educators; oversight and fleet experience was provided by Officers and Senior Enlisted Leaders in each of the midshipmen-facilitated sessions. These peer-led sessions are interactive and discussion-oriented, including the discussion of sexual assault incident scenarios. Additionally, USNA uses professionally produced videos from the Stockdale Center for Ethical Leadership featuring midshipmen facing difficult decisions that required action to ensure the safety and dignity of their shipmates.

Certain training sessions are gender-specific, encouraging candid conversation among midshipmen. In response to feedback from the Department and from midshipmen, all SHAPE Peer education sessions are now conducted on weeknights, vice weekends.

Bystander intervention training was improved during APY 12-13 by incorporating portions of the Navy Center for Personal and Professional Development Bystander Invention (BI) Program. The image of a "mishap chain" was also used to illustrate a clear chain of preventable mishaps (i.e., opportunities for bystander intervention) that could lead to an incident of unwanted sexual contact.

Plebes (freshmen) took four hours of sexual harassment and sexual assault training within their first month. The new Plebe SAPR training was introduced during APY 12-13. The comprehensive training is divided into four phases: Phase 1 occurs on Induction Day, wherein plebes were introduced to USNA's SAPR Program and staff and received an informational flyer with response/reporting information. Phase 2 began the first week of Plebe Summer. Plebes received an introductory SAPR brief and were offered a voluntary and anonymous SHAPE survey designed to understand entering

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<sup>53</sup> The One in Four Men's Program teaches men how rape affects a woman, educates men on bystander intervention, and challenges men to change their behavior and influence the behavior of others.

<sup>54</sup> Coach Joe Ehrmann is a former professional athlete and current educator, coach, and professional speaker who aims to inform and initiate individual and community change and empower his audiences to excel personally, professionally, and relationally.

<sup>55</sup> Anne Munch, JD is a former prosecutor and an attorney. She is a scholar and subject matter expert in domestic violence, sexual assault, and stalking. She co-authored the U.S. Air Force Bystander Intervention program.

midshipmen's beliefs on gender and sexual violence. Phase 3 began at the end of the first week of Plebe Summer and continued through the third week. Company officers provided SAPR briefs and reinforced prevention and awareness messages at the Company leadership level. The final phase, Phase 4, occurred from the end of week one through week three. Command leaders provided a two-hour SAPR Stand-down training to each platoon of 40-45 plebes.

In addition to the formal SHAPE curriculum, midshipmen received briefings by the SAPR Office at the Fall and Spring Reforming of the Brigade, as well as prior to summer training. The briefings were designed to increase awareness, improve Brigade safety by identifying specific risks and providing bystander intervention training, and reinforce concepts introduced in formal training. During APY 12-13, every midshipman received both SAPR-Leadership (SAPR-L) and SAPR-F training as well. SAPR-F trainings were facilitated by Company Officers and Senior Enlisted Non-Commissioned Officers who, during APY 12-13, were trained and qualified as Master Mobile Training Team members.

The Department encourages USNA explain to all midshipmen during SAPR training the role of the USNA Inspector General (IG) so they are aware of an important reporting channel for sexual harassment, reprisal, or violations of policy.

All Company Officers, Senior Enlisted Leaders, and Battalion Officers should receive a USNA-modified version of the Navy's Pre-command Training<sup>56</sup> prior to beginning of classes or within 30 days of reporting for duty.

A promising practice at USNA that deserves commendation is the continuous improvement of SHAPE curriculum based on data received from Professional Competency exams and feedback provided by midshipmen, Peer Educators, and SHAPE Fleet Mentors. The Director of Sexual Assault Education and Clinical

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***Promising Practice:***

*Continuous improvement of SHAPE curriculum*

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Services and the Sexual Assault Training Specialist met weekly to review curriculum and trainings, incorporate feedback in near-real time, and ensure continuity with the comprehensive four-year SHAPE training program.

### **Education (Curriculum)**

By the end of APY 12-13, USNA had not incorporated sexual assault prevention and response learning objectives and assignments into relevant "academic" curricula. During the on-site assessment, the Department encouraged that USNA follow the United States Military Academy's (USMA) model of integrating SAPR learning

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<sup>56</sup> In accordance with the Secretary of Defense Memo, "Evaluation of Pre-Command Sexual Assault Prevention and Response Training," dated September 25, 2012.

objectives into appropriate classes (e.g., psychology, sociology, military law, history, leadership, etc.). The USNA Academic Dean was supportive of integrating sexual assault lessons into curricula. (Note: In August 2013, USNA formally announced plans to incorporate SAPR learning objectives and case studies into its academic curricula this fall.) USNA should include in its APY 13-14 self-assessment how they have incorporated sexual assault and sexual harassment lessons into academic curricula.

During the academic program year, many faculty and staff members participated in USNA's Task Force and are now active members of the SAPR Advisory Panel. However, feedback received from several USNA faculty members at the on-site assessment and during focus groups, supports more faculty involvement in SAPR programs and initiatives. For those faculty and staff members who want to participate in SAPR efforts, USNA should define additional opportunities and provide requisite training.

At the on-site assessment, several USNA faculty and staff members commended USNA SAPRO for providing informal learning opportunities (e.g., brown bag lunches) on SAPR issues.

### **Mitigating High Risk Behaviors or Threats**

During APY 12-13, USNA leadership focused on mitigating high-risk behaviors by addressing the use of alcohol by midshipmen—a known risk factor for sexual assault victimization and perpetration. The Superintendent

increased outreach to local businesses that cater to midshipmen—implementing a Department of the Navy (DoN) best practice first used at Great Lakes Naval Base.<sup>57</sup> The Superintendent hosted local

restaurant and bar owners at an event where they discussed an informal partnership whereby business owners would watch for midshipmen who may be over-served or underage. In the event the owners or their employees saw midshipmen over-consuming or other problematic situations, USNA leadership requested it be contacted to intervene. The USNA Brigade Assistant Alcohol and Drug Education Officer (ADEO) implemented this informal program and continues to work with local business owners to enforce underage drinking laws and reduce over-serving.

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#### ***Promising Practice:***

*Superintendent outreach and partnership  
with community businesses*

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In January 2013, USNA aligned the random use of Alcohol Detection Devices (ADD) with Fleet directives. USNA received a waiver from the Vice Chief of Naval Operations to continue the use of ADD as a deterrent for fourth class and underage drinking, driving under the influence violations, and drinking in Bancroft Hall. At the same time, USNA

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<sup>57</sup> The Superintendent visited the Training Support Command (TSC) Great Lakes Region to discuss SAPR best practices.



increased Watch Patrol for weekends and evenings employing company officers and senior enlisted leaders. Upperclassmen midshipmen patrols were also instituted at Bancroft Hall during afterhours and weekends. The effectiveness of these programs has yet to be determined.

For further risk reduction measures, the Department encourages USNA leadership to implement a mandatory locked door policy in the barracks. Over the past few years, there have been a few incidents involving inebriated midshipmen wandering through Bancroft Hall behaving inappropriately and, on at least one occasion, criminally. This simple policy adds another layer to a more comprehensive prevention strategy, mitigating potential incidents without imposing additional resource requirements. Furthermore, implementing a locked door policy will align the locked door policies at USNA with USMA and USAFA.

In March 2013, the USNA Commandant of Midshipmen issued updated guidance for the Brigade Shipmate Designated Driver Initiative, known as the “Shipmate Program.” The mission of the Shipmate Program is to facilitate safe and reliable return rides to Bancroft Hall for intoxicated midshipmen. It is a free and confidential program overseen by the Commandant and the ADEO and aims to deter driving after drinking or riding with someone who has been drinking. This resource also aims to help those midshipmen who find themselves in a potentially vulnerable situation with no means to leave. It is a “no questions asked” option for them to return safely back to USNA. Shipmate drivers/navigators maintain contact information for SAPR Victim Advocates (VAs) and SAPR GUIDEs should any passenger request SAPR assistance or if they believe a passenger may have been the victim of unwanted sexual contact. The Department encourages the continued implementation of the this program and revising the policy so Shipmate drivers and navigators must report a sexual assault only to a SARC or SAPR VA—not SAPR GUIDEs—and ensure a victim may retain the choice for a Restricted Report, despite knowledge of the assault by Shipmate drivers and navigators.<sup>58</sup>

A continued practice at USNA is the 21<sup>st</sup> Birthday Initiative—an event honoring those midshipmen celebrating their milestone twenty-first birthday. Up to three beers and/or glasses of wine are available to each midshipman with the meal at this event. The event enables a safe celebration within the confines of the Yard while interacting with ADEO and DoD police and learning about the hazards and new responsibilities associated with alcohol use.

Also in APY 12-13, USNA implemented a new practice whereby student-athletes must sign a code of conduct contract that serves as a reinforcing expectation that student-athletes, just as every midshipman, will be held accountable for their decisions and actions under all conditions. The contract includes requirements not to engage in any

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<sup>58</sup> On November 5, 2013, USNA released Change 1 of Commandant of Midshipmen Instruction 5100.1B, Brigade Shipmate Designated Driver Initiative, (previously dated March 27, 2013) to reflect that the “Shipmate and the navigator will maintain the numbers of the Duty VA and will contact them for any rider that request it” and also the “Shipmate and navigator personnel will contact the Duty VA if they believe a passenger may have been the victim of unwanted sexual contact.”



activity that involves utilizing any residence in the local community that is not authorized under Midshipmen Regulations, and adherence to proper moral and ethical values at all times. On several occasions, it was discovered that midshipmen had secured off-campus housing that ultimately became a “party house” where they could engage in heavy drinking with fellow midshipmen. The Department encourages USNA to continue the practice of requiring student-athletes to sign these code of conduct contracts as another way to mitigate risks and reduce venues (i.e., party houses) where unacceptable behavior can lead to dangerous situations.

### **Conclusion**

In conclusion, the Department finds USNA is in compliance with the Prevention line of effort. The Department encourages continued emphasis on fostering a climate of dignity and respect to promote an environment free of undignified behavior and sexual harassment, with a particular focus on attitudes and behaviors that detract from a climate of dignity and respect. As described above, the following Prevention practices at USNA should be sustained or improved:

#### **Sustain**

- Superintendent outreach and partnership with community businesses
- Involvement of parents, Blue and Gold Officers (Naval Academy Information Officers aligned with the Admissions Department), and Sponsor parents in sexual harassment and sexual assault programs and expected standards of conduct
- The commitment to quality training and continuous improvement of SHAPE curriculum based on midshipmen feedback
- Recent efforts to incorporate SAPR learning objectives into academic curricula during APY 13-14
- Alternative learning opportunities for USNA faculty and staff hosted by SAPR staff
- The practice of requiring student-athletes to sign a code of conduct contract that holds them responsible for good behavior (and refraining from prohibited activities, to include renting off-campus house)

#### **Improve**

- All Company Officers, Senior Enlisted Leaders, and Battalion Officers receive a USNA-modified version of the Navy’s Pre-command SAPR training prior to beginning of classes or within 30 days of reporting for duty
- Define additional roles and provide requisite training to faculty and staff who want to participate in SAPR
- Consider including explanation of USNA IG role in SAPR training so midshipmen are aware of an important reporting channel for sexual harassment, reprisal, or a violations of policy
- As part of USNA’s overall approach to prevention, consider implementing a mandatory locked door policy
- Work to address concerns of social retaliation among peers that prevent bystander intervention and reporting of sexual assault

## LINE OF EFFORT 2: INVESTIGATION

### *Summary of Approach*

Investigation is the second line of effort in the DoD SAPR Strategic Plan. The objective of the Investigation line of effort is to achieve high competence in the investigation of sexual assault. The end state is where investigative resources yield timely and accurate results. The Naval Criminal Investigative Service (NCIS) at USNA conducts all investigations of unrestricted sexual assault reports. Victim confidence and participation is integral to a thorough investigation, and investigative techniques must maximize the recovery of physical and testimonial evidence while minimizing the potential for victim re-traumatization. Most sexual harassment allegations by midshipmen are addressed by the Military Equal Opportunity Office. However, from a criminal perspective, sexual harassment can be investigated by NCIS if there is any question about the nature of the offense alleged. The investigation by NCIS into sexual harassment complaints concludes only when it is determined that the underlying act was a non-criminal act of sexual harassment and not sexual assault.<sup>59</sup> USNA is in compliance with the Investigation line of effort.

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### *Status of Compliance Line of Effort 2:*

*In Compliance*

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### **Relationship and Collaboration between NCIS and Academy**

NCIS agents have a productive working relationship with USNA leadership. NCIS works closely with the Staff Judge Advocate (SJA) attorneys supporting the Superintendent and the Commandant of Midshipmen and with USNA SAPRO personnel. The NCIS agents communicate frequently with and provide regular updates to the Judge Advocate General (JAG). The agents also work closely with the trial counsel at the Regional Legal Services Office (RLSO) at the Navy Yard in Washington, D.C. The Supervisory Special Agent (SSA) at the USNA NCIS attends the Sexual Assault Case Management Group (SACMG) meetings. Early engagement with the SJAs and USNA leadership improves transparency, increases support to NCIS during an investigation, and provides oversight to the investigative process.

### **USNA NCIS Approach to Victim Communications (improving participation and confidence)**

While the Department assigns ultimate responsibility to the commander for keeping the victim informed of case specifics and progress, NCIS agents and the SARC keep the victim informed at regular intervals (or more frequently if the investigation warrants). Confidentiality Agreements are implemented for the victim and all witnesses involved in

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<sup>59</sup> Sexual harassment does not fall under the purview of the SAPR program and therefore is not addressed in the DoD SAPR Strategic Plan. The Diversity Management and Equal Opportunity (DMEO) program establishes guidance for the processing of sexual harassment complaints.

the investigative process to preserve victim privacy, avoid the rumor mill, and to give the victim more confidence in the investigative process.

### **NCIS Special Training**

All USNA NCIS agents receive annual training on sexual assault. One of the three Special Agents has completed the Advanced Adult Sexual Violence Training Program and attended the Advanced Family and Sexual Violence Program.

### **Timely and Accurate Results in Investigations**

NCIS conducts prompt and thorough investigations of all Unrestricted Reports of sexual assault. In cases where USNA does not have primary jurisdiction over an alleged offender or the physical location of the incident, NCIS provides coordination and support to local law enforcement or another Military Criminal Investigation Organization (MCIO) if necessary. The USNA NCIS agents work closely with the Trial Counsel at RLSO so facts necessary for trial are regularly shared and thoroughly assessed during the investigation.

While there is always pressure to complete an investigation as quickly as possible, USNA leadership understands the importance of a comprehensive investigation over a speedy one. When a sexual assault investigation is particularly complex and requires more resources, NCIS Headquarters in Quantico, Virginia provides surge support through the temporary assignment of NCIS agents specialized in investigating sexual assault cases. The surge support was effectively used when investigating the highly publicized sexual assault case against three USNA football players.

Upon the conclusion of an investigation, the report is reviewed by the Superintendent's JAG, the Trial Counsel Assistance Program (TCAP), and RLSO. Ultimately, all investigations are evaluated by the Superintendent and the Commandant of Midshipmen.

### ***Conclusion***

In conclusion, the Department finds USNA is in compliance with the Investigation line of effort. The NCIS agents at USNA worked diligently and respectfully with victims and USNA leadership in all closed sexual assault cases reviewed. As described above, the following Investigative practice at USNA should be sustained:

#### ***Sustain***

- Close working relationship between NCIS and Legal office

#### ***Improve***

- No deficient areas requiring improvement identified.

## LINE OF EFFORT 3: ACCOUNTABILITY

### *Summary of Approach*

Holding offenders appropriately accountable is the objective of the Accountability line of effort. The DoD provides a fair and equitable system of accountability that promotes justice and assists in maintaining good order and discipline. Judge advocates and commanders are a critical part of this system of accountability and are the center of gravity to the third line of effort.

Commanders have the responsibility of establishing good order and discipline, holding perpetrators appropriately accountable, and establishing a climate that is intolerant of behaviors that condone or ignore sexual harassment and sexual

violence. Attorneys (the Superintendent's and the Commandant of Midshipmen's SJAs, and prosecutors) promote justice through their support to the military justice system—either directly to the commander, when prosecuting a sexual assault case or other crime under the UCMJ, or supporting a victim or defendant. USNA is in compliance with the Accountability line of effort.

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### *Status of Compliance Line of Effort 3:*

*In Compliance*

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### **SAPR and POSH Program Oversight**

USNA recognizes the strategic imperative in creating a climate in which victims of sexual harassment or sexual assault feel confident that their reports will be taken seriously, be thoroughly investigated, and the offenders held appropriately accountable. To that end, the Superintendent oversees the SAPR and POSH programs at USNA and, with the Commandant of Midshipmen, works to establish a climate where sexual assault and harassment offenders know they will be held appropriately accountable for their actions. The Superintendent, the Commandant and Deputy Commandant of Midshipmen, and the Chief of Staff are notified within twenty-four hours of any report of a sexual assault. The Superintendent, along with the SARC, hosts the monthly SACMG meeting.<sup>60</sup> At the time of the on-site assessment, the Chief of Staff was hosting the SACMG but this was changed to be hosted by the Superintendent by the end of the APY. This is a practice consistent with the other MSAs. The SACMG meets to ensure each member remains fully informed of the progress, management, and resolution of each sexual assault case. The SACMG is an opportunity for the Superintendent and Commandant of Midshipmen to provide specific guidance membership on a particular case or the SAPR program as a whole.

Depending on the nature of the crime (sexual assault) or act (sexual harassment) and the strength of evidence discovered during an investigation, the allegations against the

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<sup>60</sup> Members of the SACMG include the Commandant of Midshipmen and investigatory, legal, advocacy, counseling, and chain of command personnel. The attendees should include those personnel specified in the DoDI 6495.02. At the time of the on-site assessment, the Superintendent was not chairing the SACMG. At the time of report publishing, the Superintendent chairs the SACMG.

accused may be adjudicated in the military justice system or through the administrative conduct system. In the event of sexual harassment, the complainant may approach the offender about his/her behavior or the incidents.<sup>61</sup> If the offending behavior continues, the complainant may make an informal or formal report to Command Managed Equal Opportunity (CMEO) or make a formal report to the chain of command. An inquiry will be conducted, and if misconduct is substantiated, the matter may be disposed of through the administrative conduct system. For sexual assault reports, NCIS investigates every Unrestricted Report. The Superintendent and the Commandant of Midshipmen consult with the victim throughout the investigatory and justice process to ensure the victim's concerns are heard as the case progresses.

After final sexual assault case disposition, a "Sexual Assault Disposition Report" is signed and acknowledged by the SJA and/or Convening Authority (Superintendent) and is included in the NCIS final report—which is reviewed at NCIS headquarters.

USNA has effectively taken advantage of the specialized sexual assault reach-back capability established within the Navy's Trial Counsel Assistance Program (TCAP). The trial counsel responsible for prosecuting USNA sexual assault offenders during APY 12-13 was greatly assisted in recent cases by TCAP and its expert, specialized resources.

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***Promising Practice:***

*Use of specialized sexual assault reach-back capability within the Navy's Trial Counsel Assistance Program*

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The Legal Office and NCIS should work to sustain their close working relationship, as members of both offices noted that the relationship expedites and enhances investigations at USNA.

### **Role of and Support from Specially Trained Professionals**

Legal services are provided by SJAs (one each supporting the Superintendent and the Commandant of Midshipmen, respectively, as well as one for the base), trial counsel, and Victim and Witness Assistance Coordinator (VWAC).

The Navy JAG Corps' Victim and Witness Assistance Program (VWAP) are required to provide sexual assault victims the services of a trained VWAC as well as information on how to contact a VWAC when an investigation is commenced. However, the current configuration of resources is still not in keeping with Department guidance. The Commandant's SJA uses the SARC to explain victims' rights and help the victim navigate the military justice process, while the trial counsel uses the SAPR VA to assist the victim in exercising his or her rights during the military justice process. A sexual assault case during APY 12-13 did not involve VWAC at all. While the individuals

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<sup>61</sup> Approaching the offender is encouraged, but not required. A complainant may report directly to CMEO or the chain of command.

performing these duties have a great deal of knowledge about the justice process, the USNA SARCs and SAPR VAs have not received specialized training on VWAC duties, to include victims' rights and the military justice system. It is important that a victim have VWAC support because he or she has a right to be "reasonably protected." SAPR personnel are not trained to be aware of Uniform Code of Military Justice (UCMJ) prohibitions against witness intimidation—something often experienced by sexual assault victims. The VWAC is better equipped to recognize this violation and notify the trial counsel to initiate the appropriate legal protections for the victim.

The USNA VWAC (at the time of the on-site assessment) did not receive training prior to assuming duties and did not feel prepared to perform VWAP responsibilities from the PowerPoint slides provided to the VWAC at a later date.<sup>62</sup> Finally, USNA VWAC contact information was not displayed on the NCIS form titled "Initial Information for Victims and Witnesses of a Crime."<sup>63</sup> Therefore, victims may not be aware of these resources or may not know how to contact such resources.

USNA should ensure all future VWACs assigned receive training prior to assuming duty that equips them to perform victim-witness assistance responsibilities,<sup>64</sup> that VWAC contact information is in appropriate locations and on required forms (i.e., NCIS "Initial Information for Victims and Witnesses of Crime" Form) and the Victims' Bill of Rights is published, and that the SARC and SAPR VA are trained on the VWAC role in accordance with DoDI 6495.02. USNA should also ensure all sexual assault victims have access to a trained VWAC throughout their case.

Finally, during the on-site assessment, it was discovered that some attorneys at the Washington Navy Yard in Washington, D.C. are not entirely familiar with attorney-sexual assault victim confidentiality with regards to Restricted Reports. This could jeopardize a victims' right to a Restricted Report if he or she were to disclose covered information to a legal assistance attorney. DoN should ensure the legal assistance attorneys are aware of the limits of confidential communications in this role and are provided regular refresher training and/or updates.

### **Attorney Special Training**

The attorneys at USNA received specialized sexual assault training courses, which may include VA training, VWAP procedures, evidentiary rules with regards to sexual assault and sexual history, and investigations.

### **Conclusion**

In conclusion, the Department finds USNA is in compliance with the Accountability line of effort. The Superintendent and Commandant of Midshipmen are supported by SJAs

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<sup>62</sup> On October 17, 2013, USNA appointed a new VWAC that was trained in accordance with Navy policy prior to assuming their duties.

<sup>63</sup> The NCIS form (*Information for Victims and Witnesses of a Crime*) is the NCIS version of DD Form 2701, *Information for Victims and Witnesses of a Crime*.

<sup>64</sup> The U.S. Army VWAP training provides a good training model to emulate.



who work closely and cooperatively with investigators, USNA SAPRO personnel, and USNA leadership. The victim is supported during the legal process by the SARC and/or SAPR VA, NCIS agents, though should be provided support from a trained VWAC. As described above, the following Accountability practices at USNA should be sustained or improved:

### **Sustain**

- Superintendent chairs the SACMG and members attend in accordance with DoD policy
- Specialized sexual assault reach-back capability established within the Navy's Trial Counsel Assistance Program

### **Improve**

- Ensure all future VWACs assigned receive training prior to assuming duty that equips them to perform victim-witness assistance responsibilities
- Publicize Victims' Bill of Rights and VWAC contact information in appropriate locations and on required forms (i.e., NCIS *Initial Information for Victims and Witnesses of Crime* Form)
- Ensure SARC and SAPR VA are trained on the VWAC role in accordance with DoDI 6495.02
- Ensure all sexual assault victims have access to a VWAC throughout their case

## **LINE OF EFFORT 4: ADVOCACY/VICTIM ASSISTANCE**

### **Summary of Approach**

Advocacy and Victim Assistance is the fourth line of effort in the DoD SAPR Strategic Plan. Delivering consistent and effective victim support, response, and reporting options is the objective, while the end state is providing high quality services and support to instill confidence and trust, strengthen resilience, and inspire victims to report. Victims need to be offered medical care, counseling, legal assistance, and victim witness assistance, all in a safe environment that encourages reporting and respects confidentiality. Critical to successful advocacy and victim assistance are trained and knowledgeable professionals who are known and available to midshipmen and whose services and programs inspire victim reporting. USNA is in compliance with the Advocacy/Victim Assistance line of effort.

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**Status of Compliance Line of Effort 4:**  
*In Compliance*

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### **Victim Advocacy Services**

During the APY 12-13, the USNA SAPR Office was led by an active duty Navy Sexual Assault Response Coordinator (at the O-5 or O-6 level). The SARC was assisted by an active duty Navy Deputy SARC (O-4) and three full-time civilian staff. However, during

APY 12-13, USNA worked with DoN SAPRO to complete a detailed manning assessment. Since the on-site assessment, USNA SAPR Office has reorganized and now includes a Navy Sexual Assault Prevention and Response Program Manager (at the O-5 level), and a Deputy (at the O-3 level). For victim support, the Naval Academy now has two full-time civilian SARCs and two full-time SAPR VAs dedicated to the Brigade of Midshipmen. The SARCs report directly to the Superintendent and coordinate their activities with the Commandant of Midshipmen and the Chief of Staff. The USNA SAPR office is responsible for the SAPR program for the Brigade of Midshipmen and members of USNA faculty and staff.

Also supporting the SAPR program is a civilian Director of Education and Clinical Services; a civilian Training Specialist, a LEL/SAPR Faculty Member; 25 Duty SAPR VAs (increasing to 40 during APY 13-14); 3 clinical providers at the Midshipman Development Center (MDC), one of whom specializes in trauma treatment; 13 Officer/Senior Enlisted Leader SHAPE Fleet mentors (increasing to 45 during APY 13-14); 73 midshipmen SHAPE facilitators and peer mentors; and 49 midshipmen GUIDEs.

The Department encourages the continued victim advocacy training of Company Officers and Senior Enlisted Leaders to increase awareness and sensitivity to sexual assault victim needs. However, the Department does not support Company Officers and Senior Enlisted Leaders—both in the chain of command—serving as SAPR VAs for midshipmen. Company Officers and Senior Enlisted Leaders have a duty to maintain good order and discipline in their units. In accordance with Department policy and military law, in the event a midshipman was to disclose a sexual assault to a Company Officer or Senior Enlisted Leader in his or her chain of command, those individuals have an affirmative duty to report the matter to NCIS, negating the option for the victim to make a Restricted Report.

On the USNA campus, victim support services are available 24-hours a day, 365 days a year. A victim always has telephonic access to a SARC or a SAPR VA. Medical care is available at the Naval Health Clinic Annapolis (NHCA), and midshipmen have access to mental health counseling at the MDC. Based on a policy change that occurred after the last assessment, midshipmen are no longer restricted to a certain number of visits to the MDC before being referred to the NHCA mental health clinic. USNA should continue this practice; the Department commends the implementation of this policy. Off installation, midshipmen have access to the YWCA Rape Crisis Center (up to six sessions of confidential counseling), the Fleet and Family Support Center, and the National Naval Medical Center (in Bethesda, MD) for psychiatric visits and counseling. There were no instances where sexual assault forensic examination (SAFE) kits or other needed supplies were not available at the time of victim's exam.

### **Midshipmen Awareness of Victim Advocacy Services (SAPR Outreach)**

USNA communicates SAPR VA services through multiple channels. A SAPR Office resource page is hosted on the USNA intranet, with a link from the homepage. The landing page includes links to assist people in getting immediate assistance, information

to assist a shipmate or friend in getting assistance, provides information on reporting options, and features an “Ask the SARC” function where questions can be asked and forwarded to the SARC. The first time midshipmen become aware of USNA SAPR VA services is on Induction Day, where the SAPR Team and their purpose are introduced. USNA has plans for APY 13-14 for all military and civilian faculty and staff—including team and club coaches—to post victim assistance contact information in their classrooms, locker rooms, and offices. The faculty and staff will be able to speak to these resources as well.

While SAPR GUIDEs do not provide SAPR VA services, they serve as peer resources for fellow midshipmen who want to know more about available SAPR VA services and how those services can be accessed.

The USNA SAPR office is currently located in Bancroft Hall—along with the dormitories and many of the amenities used by midshipmen for everyday living. While this provides increased visibility and awareness of SAPR services, USNA will be relocating the Response office during APY 13-14 to a location outside Bancroft Hall to provide a more discrete location to increase the likelihood of incident reporting and improve victim confidentiality. The Department supports this decision to relocate the Response office to provide more privacy to victims.

### **Training: SARCs, VAs, Service Providers, EO Officers**

Personnel supporting USNA SAPR and POSH programs took, along with all military staff and senior enlisted leaders at USNA, SAPR-L and SAPR-F training during APY 12-13.

The SARC took the 40-hour Navy SAPR VA training, the 40-hour SARC training, a three-day Commander, Navy Installation Command (CNIC) SARC conference and additional webinars during APY 12-13. Additionally, the USNA SARC visited USAFA and has regular discussions with other Military Service Academy SARCs for professional development and program improvement. The SARC also traveled to Great Lakes TSC to discuss DoN SAPR best practices. The Deputy SARC and SAPR VAs received the 40-hour Navy SAPR VA training.

The USNA SAPR Office provides training to USNA military and civilian staff, to include the SAPR-L, SAPR-F, and SAPR-Civilian training. The USNA SAPRO Office also trained the Naval Academy Athletic Association (NAAA) coaches and trainers, team captains, MDC personnel, and Naval Academy Preparatory School (NAPS) SAPR personnel.

In their Chaplain training on Navy Knowledge Online, Chaplains take a segment devoted to sexual assault.

Health care providers at the NHCA took regular annual SAPR training; however, at the time of the assessment, no one at the clinic was trained to administer SAFEs. USNA

has an arrangement with Anne Arundel Medical Center as the primary provider of SAFEs and Walter Reed Medical Center, Bethesda, MD as a backup. Since the on-site assessment, the NHCA has established training for assigned health care providers to administer SAFEs.<sup>65</sup>

Some officer, enlisted, and civilian representatives (to include those leading off-campus activities) may be in a situation where they are the only resource to direct a victim to SAPR services. For example, an athletic team traveling to a game may require victim services for a team member. USNA should identify the appropriate level of sexual assault response training and explanation of their responsibilities to all personnel who may be in a situation where they are a sole provider of SAPR services so they are prepared in case a sexual assault occurs.

DoD Military Equal Opportunity (MEO) policy calls for personnel not assigned to MEO billets who are involved in investigating sexual harassment complaints, providing sexual harassment prevention training, or working in victims' assistance and support programs to receive the training necessary for them to carry out these MEO-related duties. USNA should submit the locally produced POSH-developed training plans, used by such personnel to the DEOMI for review and comment consistent with DoD policy.

### **Conclusion**

In conclusion, the Department finds USNA is in compliance with the Advocacy/Victim Assistance line of effort. During APY 12-13, the SAPR staff improved the training programs for midshipmen and faculty and staff alike, and there was evidence of a robust mental health program at the MDC, now that midshipmen are no longer required to be referred to Navy mental health after a certain number of visits. As described above, the following Advocacy/Victim Assistance practices at USNA should be sustained or improved:

### **Sustain**

- Implementation of new policy that does not restrict the number of visits by a midshipmen to the MDC before being referred to the Navy mental health clinic

### **Improve**

- Identify appropriate level of sexual assault response training and procedures and provide to officer, enlisted, and civilian representatives (to include those leading off-campus activities)
- Limit SAPR VA positions to those outside the chain of command, which would exclude Company Officers and Senior Enlisted Leaders; the Department continues to support those in the chain of command receiving victim advocacy training as it increases awareness and sensitivity to sexual assault victim needs

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<sup>65</sup> Effective October 1, 2013, the Brigade Medical Unit in Bancroft Hall, has seven medical providers (four physicians and three physician assistants) trained to administer SAFEs during clinic hours 0630-1500. USNA will use Anne Arundel Medical Center and is developing MOUs with Mercy Hospital and Howard County Hospital to conduct SAFEs after clinic duty hours and when closed.

- Ensure all personnel investigating sexual harassment complaints, providing sexual harassment prevention training or working in victims' assistance and support programs, receive the training necessary for them to carry out their MEO-related duties
- Submit the locally produced POSH-developed training plans to the DEOMI for review and comment consistent with DoD policy

## LINE OF EFFORT 5: ASSESSMENT

### *Summary of Approach*

The fifth line of effort in the DoD SAPR Strategic Plan is Assessment. The Department aims to effectively standardize measure, analyze, assess, and report program successes. Assessment is an enduring process of data collection and analytics designed to improve program effectiveness, and is embedded with the four other lines of effort. The end state is to incorporate responsive, meaningful, and accurate systems of measurement and evaluation into every aspect of SAPR programs in order to determine their effectiveness. USNA is in compliance with the Assessment line of effort.

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### *Status of Compliance Line of Effort 5:*

*In Compliance*

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### **Outcome Based Metrics that Measure Program Performance**

USNA regularly assesses SAPR program performance through DMDC reports and surveys administered to the Brigade of Midshipmen. During APY 12-13, USNA implemented additional program assessment by using its Professional Competency Exam. The exams are intended to measure retention of professional development topics and competencies. Sexual assault and sexual harassment topics are included in the testing. In addition, SAPR added comprehension questions administered to all midshipmen at the end of the last SHAPE session of every academic year. Training curriculum is updated on a continual basis based upon results of the Professional Competency Exam and the SHAPE comprehension exams. The continual assessment and curriculum updating is a promising practice that deserves commendation, as discussed in Line of Effort 1.

The recently formed USNA SAPR Advisory Panel will develop methods and metrics for measuring program progress and effectiveness during APY 13-14. The SAPR Advisory Panel will review feedback and data covering the full spectrum of the SAPR program. Among the topics and issues to be assessed include: USNA-defined best practices in all aspects of the SAPR program; progress of previous recommendations; methods and/or metrics for measuring program progress and effectiveness; data collection, analysis, and reporting; and the proper utilization of the Defense Sexual Assault Incident Database (DSAID). The Department will review the USNA's SAPR Advisory Panel findings when finalized.

The Department encourages USNA to develop and implement additional metrics, particularly the metrics drafted by USAFA, for more comprehensive program assessment.

### **Climate Assessment**

USNA currently uses the SAGR survey and focus groups, conducted by DMDC, as a reliable method for climate assessment. In addition to these methods, USNA should consider conducting command climate assessment surveys at the small unit-level (for midshipmen and Prep School candidates) to assess the climate for increased granularity and oversight of company and brigade officers. If implemented, USNA should provide results of the command climate assessment surveys to the midshipmen leadership and to the next level up the chain of command in accordance with the May 6, 2013 Secretary of Defense direction.

### ***Conclusion***

In conclusion, the Department finds USNA is in compliance with the Assessment line of effort. USNA regularly assesses its training programs through DMDC reports and surveys of midshipmen. Results of these surveys are used to update USNA's SAPR program. However, USNA is encouraged to develop additional comprehensive outcome-based metrics for prevention and response performance. As described above, the following Assessment practices at USNA should be sustained or improved:

### ***Sustain***

- Level of Knowledge questions added to Professional Competency Review exams and SHAPE

### ***Improve***

- Develop and execute additional metrics for comprehensive program assessment, to include prevention
- Consider conducting command climate assessment surveys at the small unit-level (for midshipmen and Prep School candidates) and provide results of the survey to the midshipmen leadership and to the next level up the chain of command



## ASSESSMENT OF RECOMMENDATIONS FROM PREVIOUS REPORTS

The Department provided twenty-two recommendations and actions items from the APY 08-09 and APY 10-11 Reports, five of which remained incomplete entering APY 12-13. The Department assessed the status of the five incomplete recommendations and action items. The Department found sufficient evidence to close all five recommendations.

1. **Action:** Develop outcome-based metrics for prevention training.  
**Status:** Closed. The metrics were developed and implemented in the spring of APY 12-13 during regularly scheduled SHAPE training.
2. **Action:** Continue to recruit volunteer midshipmen SAR GUIDEs with the goal of two per company, one male, and one female.  
**Status:** Closed. (Midshipmen GUIDE roles and responsibilities have been revised and they are no longer providing victim advocacy services.)
3. **Action:** Consolidate all POSH and SAPR outcome data and metrics into a single product organized by the Department's strategic priorities.  
**Status:** Closed. Basic statistics and exit interview information are currently provided to the USNA Chain of Command and presented at the SACMG.
4. **Action:** The current Victim Witness Liaison Officer (VWLO) should receive SAPR and VWLO training as soon as possible.  
**Status:** Closed. On October 17, 2013, USNA appointed a new VWAC that was trained in accordance with Navy policy prior to assuming their duties.
5. **Action:** USNA SARC should train appropriate off-base hospital personnel on the correct procedures for mailing Sexual Assault Forensic Exam kits to the Navy Criminal Investigative Service Consolidated Evidence Facility in Norfolk, Virginia.  
**Status:** Closed. Guidance and training were provided.

## UNITED STATES AIR FORCE ACADEMY

### INTRODUCTION

The Department of Defense (DoD) assessed the United States Air Force Academy's (USAFA) policies, training, procedures, and initiatives for Sexual Assault Prevention and Response (SAPR) and Prevention of Sexual Harassment (POSH) Programs during Academic Program Year (APY) 2012-2013. The 2013 DoD SAPR Strategic Plan organizes the Department's SAPR and POSH programs assessment. Policy compliance was measured against:

- DoD Directive (DoDD) 6495.01, *Sexual Assault Prevention and Response Program*, April 30, 2013;
- DoD Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*, March 28, 2013;
- DoDD 1350.2 *Department of Defense Military Equal Opportunity Program*, November 21, 2003; and
- DoDD 1020.02 *Diversity Management and Equal Opportunity in the Department of Defense*, February 5, 2009.

Additionally, the Department looked at Service and Academy sexual harassment and assault policies:

- Air Force Instruction 36-6001, *Sexual Assault Prevention and Response Program*, October 14, 2010
- Air Force Instruction 36-2706, *Equal Opportunity Program Military and Civilian*, October 5, 2011
- USAFA 36-3502, *Performance Measures Program for the USAFA*, March 10, 2005

USAFA is in compliance with the Department's policies regarding sexual harassment and sexual assault. The highlights of the USAFA sexual assault and sexual harassment programs during APY 12-13 were the renewed focus, led by the Commandant of Cadets, on leadership development and adherence to standards, as well as the implementation of the Special Victims' Counsel (SVC) attorneys. USAFA should continue to focus on these initiatives, and also ensure the SAPR staff is better resourced and can guarantee 24/7 access to victim services. USAFA's sexual harassment and assault prevention/response programs and processes are discussed below by DoD SAPR Strategic Plan lines of effort. The information that follows adds to the Department's overarching observations made for all three MSAs made earlier in this report in the section entitled, "Assessment of MSA Programs: Findings Common To All Academies."

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#### **Overall Status of Compliance:**

*In Compliance*

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## LINE OF EFFORT 1: PREVENTION

### *Summary of Approach*

Prevention is the first line of effort in the DoD SAPR Strategic Plan. The objective of the Prevention line of effort is to deliver consistent and effective prevention methods and programs. The end state is for the cultural imperatives of mutual respect and trust, professional values, and team commitment to be reinforced to create an environment where sexual assault is not tolerated, condoned, or ignored. The key features of sexual harassment and sexual assault prevention includes education and training as well developing and maintaining a climate of dignity and respect. Identifying and mitigating high-risk behaviors or threats is also a key component of the first line of effort. USAFA is in compliance with the Prevention line of effort.

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### *Status of Compliance Line of Effort 1:*

*In Compliance*

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### **Strategy to Fostering a Climate of Dignity and Respect**

USAFA leadership spent considerable effort in APY 12-13 educating cadets in sexual assault awareness, providing SAPR training, and increasing awareness of USAFA SAPR resources. Training and awareness alone, however, is never enough when developing a culture that condemns sexual harassment and sexual assault. Fostering a climate whereby all cadets and all individuals are treated with dignity and respect, and where cadets respect their environment and they live up to USAFA values, is critical to reducing and eliminating sexual harassment and sexual assault. During APY 12-13, USAFA focused on fostering a culture of commitment to USAFA standards and where cadets can develop their leadership skills. All of the efforts (described in this section below and throughout the USAFA-specific assessment) are well intentioned, but are not all aligned. The success of these initiatives has not been measured by USAFA; many are in their infancy and may not be measurable at this point.

The Commandant of Cadets, in his role in establishing the command climate, firmly communicated his expectations of the cadets and their role in furthering a climate of dignity and respect. The Commandant issued his Vector for 2013,<sup>66</sup> in which he challenged cadets to “do better” in adhering to USAFA standards. Commending the cadets for their high standards and accountability in airmanship programs and intercollegiate and club sports, the Commandant contrasted these successes to areas of their complacency and therefore requiring improvement in the Cadet Wing (CW). The Commandant asked the cadets to focus on five specific areas requiring a cultural change to a culture of commitment, one of which was eliminating sexual assault by respecting each other and intervening when “something does not seem right.” Another area of focus was adhering to USAFA policies with regards to intimate relations in cadet

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<sup>66</sup> The Commandant’s Vector for 2013 was released on January 14, 2013.

dormitories. Intimate relations are not permitted in dormitories per USAFA policies and the Cadet Sight Picture, and the Commandant stressed a logical and sound reason for this policy as reducing the possibility for cadet-on-cadet sexual assault.

On the same day as releasing his Vector for 2013 to the cadets, the Commandant sent a Memorandum for all CW Permanent Party<sup>67</sup> members asking them to lead by example and adhere to all standards and policies. The Commandant challenged the CW Permanent Party to correct cadets and correct each other when identifying a failure in policy and/or standards compliance.

The Department commends the Commandant's position and leadership to countering cadet complacency and to creating a culture of commitment, and supports the USAFA Commandant as he challenges the cadets to become leaders of character for the CW and as officers in the USAF.

During APY 12-13, the USAFA Department of Behavioral Sciences and Leadership faculty embarked on a two-step process to improve "Respect for Human Dignity" (RFHD)<sup>68</sup> at USAFA. RFHD is defined by USAFA as "those behaviors and attitudes of professionalism and equity that demonstrate an ability to interact with another person in a way that is mature, considers another person's basic rights, understands their perspective, and demonstrates fair, equitable treatment." USAFA plans to use RFHD in the next APY as a tool to address the prevention of sexual harassment and assault by developing awareness and understanding of topics such as sexual orientation, bystander effects, and respectful intimacy. The RFHD Outcome Team is chaired by the Head of the Department of Behavioral Sciences and Leadership. The two-step RFHD process began with course/program development and integration. The RFHD Outcome Team provided tools to faculty to address RFHD in a meaningful and integrated way through quarterly newsletters featuring shared ideas and best practices, regularly recurring meetings, and an annual assessment report and feedback loop. The second step in the process to improve RFHD is the assessment process, whereby progress is measured with sustainable and useful messages. The RFHD assessment model continues to be under development so it can align to the larger assessment program once it is finalized.

USAFA faculty was encouraged to incorporate respect messaging in classroom discussions, and a friendly competition called the "Respect Challenge" was created for additional motivation. The Department commends USAFA for engaging the faculty and encouraging their participation in respect education.

While there are various and simultaneous efforts to build a culture of dignity and respect and reduce sexual assault and sexual harassment at USAFA, the efforts are not centrally coordinated, and some of the promising initiatives and ideas have not received

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<sup>67</sup> Cadet Wing Permanent Party is staff assigned to USAFA and may include faculty, coaching, and leadership roles.

<sup>68</sup> RFHD is a "USAFA Outcome." USAFA Outcomes are an integrated set of responsibilities, skills, and knowledge required of cadets upon graduation.

the attention they deserve. To provide a centralized idea-sharing and planning organization for sexual assault and sexual harassment prevention and response efforts, a permanent working group, similar in mission and composition to the Air Force Community Action and Information Board/Integrated Delivery Systems (CAIB/IDS), should be established. The working group would fall under the direction of the Superintendent or Commandant, who have shown great leadership and initiative to institute meaningful culture improvements at USAFA. The Department of Behavioral Sciences and Leadership should take a leadership role in the working group to provide oversight, infuse research findings, and develop a synchronized strategy that addresses prevention.

An influential element detracting from USAFA's efforts to foster a culture of dignity and respect are members of the Cadet Wing that perpetuate attitudes and behavior that disregard academy policies and practices and engage in gender-related misbehavior and misconduct, targeting fellow female cadets as the focus of crude and offensive language and sexist comments. The most observable example was the circulation of an electronic slide deck that disparaged academy women and taunted those who might date them. While the cadet author of the slide deck was identified and punished in August 2012, the slide deck continued to be circulated by members of at least two sports teams. In addition, informal customs of some teams disparage, taunt, and sometimes chastise individuals that date fellow female cadets.

Email, social media, and other forms of electronic communication make external detection of this kind of unacceptable behavior particularly difficult. When not challenged, the individuals involved in misbehavior and misconduct promulgate attitudes that disregard the desired cultural ideals and standards. Every member of the Cadet Wing must have the social courage to stand up and report when someone is not living up to Air Force core values.

The Department encourages USAFA to review and strengthen leadership of cadet groups, teams, and clubs in such a way that encourages mentoring and consultation between organizational leaders. Including a coach or faculty sponsor on all formal cadet group communication distribution lists allows greater supervision of groups, teams, and clubs.

In addition, the Department encourages outreach and education to the alumni, cadet parents groups, and athletic communities to ensure that all USAFA-sanctioned or private activities involving cadets align with USAFA standards of conduct. Sanctioned activities, such as those with alumni sponsors, must adhere to alcohol policies, promote responsible use of alcohol, and promote behavior consistent with a climate of dignity and respect.

## **Training**

USAFA SAPR training is a four-year, developmental<sup>69</sup> program. Mandatory training under U.S. Air Force Commissioning Education includes prescribed sexual harassment and sexual assault training for all classes. USAFA SAPR training curricula is developed and guided by USAFA SAPR staff, who works in tandem with Vice Commandant of Cadets for Culture and Climate (CWP) Peak Performance Center (PPC), the Commandant of Cadets Human Relations Training & Education Office, and the 10th Air Base Wing (ABW) Equal Opportunity Office. During Basic Cadet Training (BCT), fourth class cadets received two hours of SAPR training wherein improper conduct was defined, the appropriate response was described (i.e., who and how to report), and resources were explained. USAFA staff believes the early education triggered cadets to seek help, realizing for the first time what happened to them was sexual assault. Second class cadets received two 50-minute sessions of SAPR training embedded in the “Accessions 1 & 2” training. Third, second, and first class cadets received annual SAPR “refresher training” (50 minutes). Supplementary to the aforementioned mandatory Commissioning Education training, the following training is provided to cadets over the course of the four-year education: “Sex Signals” by Catharsis Productions, Inc., “You Belong Here” and “Victim Empathy” (gender-separate training) by Veraunda Jackson, “May I Kiss You?” by Mike Domirtz,<sup>70</sup> “Perps, Sexual Assault, & You” which contains “Victimology and Perpetrators” by Russell Strand, and “The Unknown Conspirator” by Anne Munch, JD.

According to USAFA staff, training time is scarce, as cadets are highly scheduled and training time competes with academics, athletics, military duties, and extracurricular activities. Typically the training occurred during Commissioning Education time blocks (50 minute training courses only) or at night or on “Silver Saturdays.”<sup>71</sup> USAFA SAPR staff strived to avoid message fatigue by varying class format, trainers, and facilitators and incorporating technology like electric “clickers” or cell phones for live voting and evaluation. All BCT training was taught and/or facilitated by USAFA Sexual Assault Response Coordinators (SARC), Victim Advocates (VA), or SAPR trainers from other basic/technical training bases. Air Officers Commanding (AOC), Academy Military Trainers (AMT), specially trained cadets, and training facilitators from USAFA Permanent Party also support SAPR training efforts.

USAFA has spent the past two years improving the Cadet Bystander Intervention Training (BIT) Program, although not yet implemented, they are striving to implement in APY 13-14. USAFA plans to involve Athletic Department (AD) staff, coaches, and intercollegiate athletes as “early adapters” and engage the AD as leaders in BIT.

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<sup>69</sup> Developmental training roles are assigned for every cadet class. The fourth class year (freshman) cadet officer developmental role is that of “follower;” the third class year (sophomore) focuses on cadet “interpersonal” behavior; the second class year (junior) cadet officer developmental role is as a member of a team; the first class year (senior) cadet training is focused on “organizational” impact, as it prepares them to enter the Air Force organization as leaders.

<sup>70</sup> Mike Domirtz is the creator and founder of the Date Safe Project and the “May I Kiss You?” training program. He is an educator and has authored several books on sexual assault and health relationships.

<sup>71</sup> Silver Saturdays are Saturdays dedicated to either half- or full-day training.



During APYs 11-12 and 12-13, Cadet BIT worked with Green Dot, Inc. to develop and test a comprehensive BIT program with a phased implementation. USAFA conducted cadet and permanent party focus groups to review content, logo, videos, and teaching messages. The Cadet BIT Program contains attributes of the AF BIT but with a cadet focus—featuring cadets as “actors” and scenarios of actual situations in/around USAFA with instructive, “how to” vignettes. Cadet BIT will be taught by non-SAPR staff. The Department will follow up with USAFA to monitor implementation and progress of the new Cadet BIT program.

A remaining action item from APY 10-11 was to address collateral misconduct misperceptions in training, as there was an assumption at USAFA that women report sexual assault to get out of trouble. Upon review of training materials, the Department did not find evidence that collateral misconduct misperceptions were now being addressed.

Training curriculum was assessed during previous APYs. During APY 12-13, a push to implement training evaluations through the use of surveys, clickers, and trend data was led by the Analyst on the Commandant’s Special Issues Team. In January 2013, a USAF-level Integrated Process Team reviewed SAPR Accessions curriculum and conducted a gap analysis. USAFA continued to work with curriculum consultants and subject matter experts for assessment and evaluation of training programs.

The Department found the training curriculum to be lacking in male victimology. The language used by USAFA staff and leadership and in training materials assumed victims were generally women. The experiences of male sexual assault victims should be understood by cadets as well as the entire USAFA community. USAFA should incorporate male victimology in SAPR training.

All currently assigned faculty and AOCs receive USAF Pre-command SAPR Training<sup>72</sup> prior to beginning of classes and all future faculty and AOCs receive the same within 30 days of reporting for duty.

### **Education (Curriculum)**

To date, USAFA has not incorporated any sexual harassment or assault prevention and awareness education into the core curricula. Some Behavioral Sciences core and majors courses address mutual respect and trust, and USAFA has begun examining how academic courses can incorporate the USAFA’s “Respect for Human Dignity” lesson objectives. The Department supports USAFA’s efforts thus far, and encourages implementing learning objectives into academic curricula that addresses sexual assault and harassment in the military. Lesson objectives should make prevention and

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<sup>72</sup> Such training should contain the same core curricula and learning objectives as the Air Force pre-command training, but be modified for relevance to USAFA faculty and staff, and reflect the cadet disciplinary system as well as the military justice system.

awareness education relevant and applicable to cadet responsibilities today and in the future as Air Force officers.

### **Mitigating High Risk Behaviors or Threats**

During APY 12-13, USAFA leadership focused on mitigating high-risk behaviors by focusing on cadet complacency to established standards of behavior. In an address to the Cadet Wing in January 2013, the Commandant of Cadets directed the cadets to focus on strict adherence to regulations, including those regarding alcohol and intimate behavior<sup>73</sup> behind closed doors, and called for a greater focus on sexual assault prevention. Holding cadets strictly accountable to violations of alcohol regulations and increasing accountability on acceptable dormitory behavior mitigates high-risk situations that are associated with sexual assault. In APY 11-12, USAFA had 23 of 52 reports of sexual assault involving alcohol, in APY 12-13 USAFA had 19 of 45 reports of sexual assault involved alcohol.

For further risk reduction measures, the Department encourages USAFA leadership to reinforce the mandatory locked-door policy<sup>74</sup> in the dormitories. This simple policy adds another layer to a more comprehensive prevention strategy, mitigating potential incidents without imposing additional resource requirements.

### ***Conclusion***

In conclusion, the Department finds USAFA is in compliance with the Prevention line of effort. The Department applauds the senior leadership's focus on strict adherence to standards and behavior. As described above, the following Prevention practices at USAFA should be sustained or improved.

### ***Sustain***

- Respect Challenge—encouraging faculty to incorporate respect messaging in classroom discussions
- Renewed focus on a culture of commitment; continued support of the Commandant's ongoing effort to improve adherence to standards

### ***Improve***

- Establishment of a permanent working group, similar in mission and composition to the Air Force CAIB/IDS, under the direction of the Superintendent or Commandant, and supported by members of the Department of Behavioral Sciences and Leadership who will provide oversight and develop a synchronized strategy that addresses prevention

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<sup>73</sup> AIR FORCE CADET WING MANUAL (AFCWMAN) 36-3501, *The Cadet Sight Picture*, 20 August 2012, para 1.4.3.3 Cadets are not authorized to engage in any form of "intimate behavior" in any room (common or otherwise) within the cadet area dormitories or facilities. "Intimate behavior" includes, but is not limited to sexual activities, fondling, kissing, cuddling, and spooning.

<sup>74</sup> AFCWMAN 36-3501, para 4.9.5.1. Doors must be locked at night while cadets are sleeping.

- Integrate learning objectives into academic curricula that address sexual harassment and sexual assault in the military
- Incorporate male victimology in SAPR training
- All currently assigned faculty and AOCs attend Enhanced Pre-Command SAPR Training prior to beginning of classes and all future faculty and AOCs receive the same within 30 days of reporting for duty
- Reinforce the locked-door policy in the dormitories

## LINE OF EFFORT 2: INVESTIGATION

### *Summary of Approach*

Investigation is the second line of effort in the DoD SAPR Strategic Plan. The objective of Investigation is to achieve high competence in the investigation of sexual assault.

The end state is where investigative resources yield timely and accurate results. The local Air Force Office of Special Investigation (AFOSI) detachment conducts all investigations of unrestricted sexual assault reports.

Victim confidence and participation is integral to a thorough investigation, and

investigative techniques must maximize the recovery of physical and testimonial evidence while minimizing the potential for victim re-traumatization. Sexual harassment allegations by cadets are addressed by the Chain of Command or Military Equal Opportunity (MEO) Office. However, from a criminal perspective, sexual harassment can be investigated by AFOSI if there is any question about the nature of the offense alleged. The investigation by AFOSI into sexual harassment concludes only when it is determined that the underlying act was a non-criminal act of sexual harassment and not sexual assault. USAFA is in compliance with the Investigation line of effort.

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### *Status of Compliance Line of Effort 2:*

*In Compliance*

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### **Relationship and Collaboration between AFOSI and Academy**

AFOSI agents at USAFA work very closely with USAFA leadership, in particular with the Superintendent, the Staff Judge Advocates (SJA), the Commandant of Cadets, and the SARC. AFOSI agents are participants on the Academy Response Team (ART) Case Management Group, where they provide a regular update to the Superintendent. The AFOSI agents attend a bi-monthly briefing to the Commandant of Cadets, where the disciplinary actions are reviewed. On a regular basis, AFOSI agents interact with the Vice Commandant of Culture and Climate, the SARC, and SAPR VAs to discuss case status, receive sexual assault reports, and/or discuss training needs or take training. The Department commends the close working relationship between AFOSI and the USAFA leadership, SJA, and the SARC. Feedback received at the on-site assessment indicated the collaboration has broadened understanding of roles and ultimately improved each case.

### **USAFA AFOSI Approach to Victim Communications (improving participation and confidence)**

When AFOSI initially meets with a victim, the AFOSI agent explains the investigative process, the VWAP resources, and discusses with the victim the anticipated timeline and challenges to that timeline. AFOSI agents require witnesses to sign a form stating they will not disclose any details discussed during the interview.

When AFOSI investigates a subject, a notification letter is sent to the subject's commander. AFOSI does not typically notify the victim's commander as that is usually done by the SARC. Notifications are provided to the Superintendent and the Commandant of Cadets as well.

### **AFOSI Special Training**

All ten AFOSI personnel at USAFA have received specialized training on sexual assault investigations. AFOSI agents spoke about a course at the Federal Law Enforcement Training Center (FLETC) that was particularly beneficial; they learned cognitive interviewing skills, victimology, policy, and the role of SJAs in investigations. There were also mock crime scenes and training on specialized tools (to include alternate light systems and other techniques to identify and preserve evidence).

In the past, AFOSI agents, SJAs, and other first responders have attended an annual Sexual Assault Investigations Training Conference at AFOSI 8<sup>th</sup> Field Investigations Region at Peterson Air Force Base in Colorado Springs, Colorado. The course was not held this year due to funding constraints. Should other similar opportunities arise, the Department encourages attendance at sexual assault-specific training.

AFOSI personnel at USAFA also participate in weekly refresher training. During a regularly scheduled time, recent issues are addressed and agents participate in skill development discussions and exercises.

### **Timely and Accurate Results in Investigations**

AFOSI agents at USAFA work closely with SJAs and the SARC—from the time an Unrestricted Report is made—ensuring Reports of Investigation (ROI) are completed as expeditiously and thoroughly as possible and the victim is kept apprised throughout the investigation. This includes judge advocates reviewing Investigative Plans, assisting in formulating questions for victim, subject, and witness interviews, meeting regularly to discuss the status of the investigation and the steps that need to be taken, discussing search and seizure and other evidentiary issues, and any other issues that arise. When an investigation is particularly complicated or has a large number of witnesses to interview and forensic evidence to analyze, JA will conduct their interview process simultaneous to the OSI investigatory process. Consulting with JA from this early point in the investigation process expedites both the investigation and judicial processes. OSI has a good working relationship with the local hospital (Memorial Hospital),

ensuring sexual assault forensic exams (SAFE) are immediately received by OSI for processing. OSI agents typically use U.S. Army Criminal Investigation Laboratory (USACIL) for processing SAFEs. When USACIL is unable to provide analysis reports for time-sensitive cases, AFOSI agents research and utilize labs that are able to provide results within a case's time requirements.

In the recent years, investigations conducted by AFOSI agents at USAFA have increased commensurately with the increase in sexual assault reports. Last year, AFOSI also assumed investigative responsibility for both felony-level and misdemeanor-level sexual assault allegations. Despite the increase in the number investigations, AFOSI manpower resources have remained static and have not affected the quality of investigations—due in part to operational efficiencies and greater collaboration between AFOSI and JA. However, as mission demands continue to increase, AFOSI should ensure they enough resources dedicated to USAFA to continue providing thorough and timely investigations.

### **Conclusion**

In conclusion, the Department finds USAFA is in compliance with the Investigation line of effort. The AFOSI staff at USAFA is well trained and work closely with USAFA leadership to keep them informed during all investigations of Unrestricted Reports of sexual assault. The AFOSI agents and personnel have successfully managed a heavier workload with the same resources, and the quality of investigations has not appeared to suffer as a result. As described above, the following investigation practices at USAFA should be sustained or improved.

### **Sustain**

- Close coordination between AFOSI, JAG, USAFA leadership, and SARC
- Strategic resource management to handle the increase in investigations with same manpower resources

### **Improve**

- Encourage attendance at training opportunities similar to the Region 8 sexual assault investigators training course
- As reports of sexual assault increase, ensure manpower is adequate to meet mission demands

## **LINE OF EFFORT 3: ACCOUNTABILITY**

### **Summary of Approach**

Holding offenders appropriately accountable is the objective of the Accountability line of effort. The DoD provides a fair and equitable system of accountability that promotes justice and assists in maintaining good order and

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### **Status of Compliance Line of Effort 3:**

*In Compliance*

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discipline. Attorneys and commanders are a critical part of this system of accountability and are the center of gravity to the third line of effort. Commanders have the responsibility of establishing good order and discipline, holding perpetrators appropriately accountable, and establishing a climate that is intolerant of behaviors that condone or ignore sexual harassment and sexual violence. Attorneys (the SJAs and prosecutors) promote justice through their support to the military justice system—either directly to the Superintendent and Commandant of Cadets, when prosecuting a sexual assault case or other crime under the UCMJ, or supporting a victim or defendant. USAFA is in compliance with the Accountability line of effort.

### **SAPR and POSH Program Oversight**

The USAFA Superintendent provides oversight of and guidance to USAFA sexual harassment and sexual assault prevention and response efforts. The Superintendent chairs the ART Case Management Group every month. The ART provides sexual assault case and victim updates to the Superintendent and SAPR personnel. The ART is attended by the Commandant of Cadets, the Dean of Faculty, the Director of Athletics, the SJA, the Vice Superintendent, the SARC, and the Vice Commandant of Climate and Culture. In addition to the current participants on the ART, USAFA should include MEO representatives. USAFA is also encouraged to formalize MEO involvement at USAFA through other working groups such as the to-be-established CAIB/IDS. MEO can provide valuable insight to the command climate and their participation can enhance prevention efforts.

### **Role of and Support from Specially Trained Professionals**

USAFA is the first MSA to provide legal counsel to victims of sexual assault (as this program was established as a DoD pilot program in USAF). The Air Force SVC<sup>75</sup> was established during APY 12-13, and the SVC

attorneys providing services to USAFA were immediately employed and assigned cadet victims from USAFA. The SAPR VAs, SJAs, and USAFA leadership rely heavily on the SVC attorneys to explain the legal process, provide updates to the victim, and ultimately improve victim confidence in the legal system. The SVC attorneys are able to provide victims personal legal advice and assistance.

Prior to the establishment of the SVC program (which occurred January 2013), trial counsel and victim witness assistance personnel worked closely with victims to explain and help them through the justice process, in conjunction with the SAPR VA and SARC. Feedback received during the assessment was that the victims appreciated the SVC program for providing “someone to go to” and helping them feel less isolated. Based on initial feedback from the Air Force, the SVC program appears to benefit victim confidence, victim participation, and victim representation in the military justice process.

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#### ***Promising Practice:***

*Use of Special Victims Attorney to represent and assist victims throughout justice process*

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<sup>75</sup> SVC provides legal advice and representation to the victim throughout the justice process.



### **Attorney Special Training**

Attorneys at USAFA have attended multiple specialty courses on sexual assault. During APY 12-13, SJAs, trial counsel, and trial defense attorneys participated in a variety of courses, including the annual Keystone Conference; FLETC courses on interviewing techniques; a Newport, RI course on prosecuting sexual assault crimes; Special Victims Course at Ft. Leonard Wood, MO; DOJ-sponsored seminars on sexual violence and victimology; USAFA SARC-sponsored training; and Air Force JAG courses, including a mock trial for sexual assault. Attorneys in particular commended the courses taught by military sexual assault experts Anne Munch, Russell Strand, and Veraunda Jackson.

SVC attorneys also took the Special Victims Course at Ft. Leonard Wood, MO, as well as additional training at the JAG school at Maxwell Air Force Base, AL.

During the on-site assessment, it was suggested that USAFA SARCs and SAPR VAs receive joint training with legal counsel so the legal process is properly represented and communicated to the victim throughout the victim's recovery process.

### ***Conclusion***

In conclusion, the Department finds USAFA is in compliance with the Accountability line of effort. As described above, the following accountability practices at USAFA should be sustained or improved.

### ***Sustain***

- Early collaboration between JA and AFOSI
- Integration of Special Victims Counsel into USAFA accountability efforts

### ***Improve***

- Formalize EO involvement at USAFA (i.e., ART and other formal working groups)

## **LINE OF EFFORT 4: ADVOCACY/VICTIM ASSISTANCE**

### ***Summary of Approach***

Advocacy and Victim Assistance is the fourth line of effort in the DoD SAPR Strategic Plan. Delivering consistent and effective victim support, response, and reporting options is the objective, while the end state is providing high quality services and support to instill confidence and trust, strengthen resilience, and inspire victims to report. Victims need to be offered medical care, counseling, legal assistance, and victim witness assistance, all in a safe environment that encourages reporting and respects confidentiality. Critical to

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### ***Status of Compliance Line of Effort 4:***

*In Compliance*

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successful advocacy and victim assistance are trained and knowledgeable professionals who are known and available to cadets and whose services and programs inspire victim reporting. USAFA is in compliance with the Advocacy/Victim Assistance line of effort.

### **Victim Advocacy Services**

The cadets at USAFA benefited from a committed, yet under-resourced, staff that provides direct victim advocacy services. One SARC was assigned to provide around-the-clock response to all reports of sexual assaults—whether they be cadets, preparatory school cadet candidates, 10<sup>th</sup> ABW airmen, or from the geographically separated unit in Pueblo, CO. The SARC provided training to cadets, first Responders, faculty and staff, USAFA leadership, volunteers, Cadet Club Officers in Charge, sponsor families, and sports camps, among others. The SARC provided 78 different training courses during APY 12-13. The lead SARC was supported by an assistant SARC until November 2012. The assistant SARC was a trained SAPR VA performing SARC duties when the lead SARC was unavailable. The assistant SARC was responsible for coordinating and scheduling all SAPR training at USAFA. Two SAPR VAs positions provide support and advocacy to victims, advise Personal Ethics and Education Representatives (PEER) advocates, attend meetings, and support training needs. At the time of the assessment, only one of two SAPR VA positions were filled and there was not a replacement yet identified for the assistant SARC.

An open action item from APY 10-11 calls to establish a SARC position to support other units. As of the assessment and report publishing, USAFA had not hired a second SARC. The Department remains concerned that the cadets as well as the USAFA community do not have reliable access to victim support services 24/7. The USAFA SAPR office remains critically under-resourced, requiring the sole SARC to transition several times in one day from working with a victim one minute, to training cadets or staff, and then directing a case management meeting. This must be done without breaks and while on-call at night and on the weekends, and makes sustainment of victim support very challenging for the SARC.

Another action item from APY 10-11 was to consider training volunteer SAPR VAs and/or additional full-time staff to work with victims originating within the 10th ABW, the Preparatory School, and the Pueblo County populations. The Wing Commander at the 10th ABW received guidance during APY 12-13 allowing volunteer SAPR VA support. Trained volunteer support should be implemented so the 10th ABW and other populations can have dedicated resources and the cadet SAPR VAs can focus on cadet victim services.

USAFA should fully staff the USAFA SAPR office as soon as possible, as well as work with the 10th ABW leadership to establish SARC and SAPR VA positions that focus on non-cadet populations. When implementing this recommendation, USAFA should determine whether victims have guaranteed 24-hour access to victim services. At a minimum, the Safe Helpline should be utilized in the event a SARC or SAPR VA cannot

be on call and therefore the Safe Helpline should be publicized as another resource for victims. USAFA should appoint a dedicated SAPR training resource. As victim reporting increases, a SARC and/or SAPR VA has less time available for curriculum development and to coordinating and conduct training sessions. A dedicated training resource would allow the SARC and SAPR VAs to focus on victim advocacy.

The USAFA SAPR office has implemented several innovative techniques in support of victims. Borrowing a term from the medical field, the SARC and SAPR VAs introduced the practice of sexual assault victim “hot spotting,” whereby victim care and advocacy is extended beyond the typical assistance. The SARC and SAPR VAs work with the “whole” cadet, taking measures to protect privacy and the physical and emotional health and safety of the cadet. The SARC and SAPR VAs may facilitate, on behalf of a cadet, consultations with dieticians for nutritional issues, consultations for sleeping problems, securing appointments off and on campus for certain kinds of medical assistance, or helping the victim change or rearrange his or her schedule when the victim and the subject are in the same class or frequently see each other. The SARC and SAPR VAs also help coaches, faculty, and staff understand a victim’s experience and identify the “red flags” that indicate a cadet needs more help. Grounding Kits were created in APY 12-13 to provide soothing items that might aid victims in recovery. USAFA SAPR continued to improve the “eSARC” program that further encourages restricted reporting by using cadet-preferred communication channels (e.g., cell phone texting and emailing).

The PEER Program plays an important role in victim assistance. The mission of PEER Program is to provide a supportive environment for cadets. PEER Advocates are cadets who are identified in each squadron. They attend two days of training and are required to attend monthly refresher training.

PEER Advocates are the “eyes and ears” to the USAFA SAPR personnel. PEER Advocates support the CW through education, outreach, listening, and referral to help cadets make healthy lifestyle choices. They are not counselors or SAPR VAs, but rather peer educators who are trained to observe warning signs and suggest use of helping resources, act as models for healthy lifestyle choices, and up channel concerns to SAPR personnel. Cadets are more likely to go to people they know—their peers—after experiencing sexual assault or harassment. During APY 12-13, there were over 125 PEER Advocates, and 32 PEER Advocates were added to the athletic department.

USAFA cadets may receive medical care from Memorial Hospital and group counseling services from TESSA, a local civilian agency for sexual assault and domestic violence assistance. USAFA has Memoranda of Understanding with TESSA and with Memorial Hospital to provide this care. During APY 12-13, there were no instances where SAFE kits or other needed supplies were unavailable at the time of victim’s exam.

### **Cadet Awareness of Victim Advocacy Services (SAPR Outreach)**

USAFA SAPR staff should be commended for their outreach to cadets through SAPR training and initiatives including Sexual Assault Awareness Month (SAAM). There have also been tremendous efforts to increase the number of reports and to reduce the amount of time elapsed between incident and report.

During APY 12-13, cadets led the SAAM campaign development and implementation. USAFA SAPR acted in an advisory capacity, providing resources and oversight but allowing ownership to be retained by the cadet volunteers. Cadets recruited 125 cadet volunteers, devised a campaign called “No Excuses” and focused each week of SAAM on a different sexual assault theme—victim, prevention, bystander, and support. Several events were held, including a “Walk a Mile in Their Shoes” event, a movie night, and a “Wings of Blue” cadet parachute team event where the team dropped onto the terrazzo at noon meal formation on behalf of victims with a narrator to talk about who they represented as they descended. The cadets created a USAFA SAPR “No Excuses” Facebook page where they posted articles, prevention/awareness videos, and “commercials” that the cadet team created. They held a contest using the Facebook page, the cadet squad with the highest number of “likes” won a prize. The highlight of the campaign was a 25-minute “No Excuses” video created by the cadets, featuring testimonials of sexual assault victims (including cadet victims). The video was shown at the USAF SARC Training Conference and received laudatory comments.

The Department commends the USAFA SAPR office for encouraging and supporting cadet involvement in SAAM. Cadet ownership of these issues is crucial to increasing awareness of sexual assault and creating an environment free from sexual assault.

During the week leading up to Spring Break, the USAFA SAPR Office teamed with the PPC to run the Spring Break Awareness Program. The SAPR Office determined that spring break is a time of high vulnerability for sexual assaults. Therefore, the SAPR Office and PPC established a presence for three days at Fairchild Hall (where classes are held) and set up displays, information tables manned by cadet PEER Advocates, SARC staff, and PPC staff. Education and awareness focused on alcohol abuse, sexually transmitted diseases, and safe sex. Promotional items were given away and SAPR and PPC staff served as resources to answer questions and promote a safe spring break.

Despite these positive initiatives and increased cadet participation, USAFA leadership and the SAPR staff recognize there is a negative perception associated with the SAPR office, the SARCs, and SAPR VAs. During APY 12-13, the USAFA SAPR office began exploring ways to change the perception. One such way was using other faculty and staff at USAFA to deliver anti-sexual assault messages. They reduced emphasis on risk reduction training, as research indicates an unintended effect of this training is victim blaming. The SAPR staff also deferred to military attorneys to teach the topic of “consent” given the legal issues involved.

### **Training: SARCs, SAPR VAs, Service Providers, PEER Advocates, EO Officers**

Anyone who works with cadets at USAFA is trained on SAPR principles by USAFA SAPR staff. The SARC at USAFA attended the new SARC Course at Maxwell Air Force Base and the SAPR VAs attended the USAF SAPR VA Training at nearby bases. All assigned SARC and SAPR VAs at USAFA are certified through the DoD Sexual Assault Advocate Certification Program (D-SAACP).

During APY 12-13, PPC staff received their regularly assigned SAPR training. The Mental Health Flight Commander completed annual sexual assault training. The Substance Abuse Prevention and Treatment Program Officer in Charge completed computer-based sexual assault training for medical providers during APY 12-13.

The Chaplains at USAFA received USAFA SAPR training and have taken additional courses specific to chaplaincy, to include a three-day “Pastoral Case for Sexual Assault Victims” course.

DoD MEO policy calls for personnel not assigned to MEO billets who are involved in investigating sexual harassment complaints, providing sexual harassment prevention training or working in victims' assistance and support programs to receive the training necessary for them to carry out these MEO-related duties. USAFA should submit the locally produced POSH-developed training plans, used by such personnel to the DEOMI, for review and comment consistent with DoD policy.

While not a traditional victim advocacy service provider role, some officer, enlisted, and civilian representatives (to include those leading off-campus activities) may be in a situation where they are the only resource to direct a victim to SAPR services. For example, an athletic team traveling to a game may require victim services for a team member. USAFA should identify the appropriate level of sexual assault response training and explanation of their responsibilities to all personnel who may be in a situation where they are a sole provider of SAPR services so they are prepared in case a sexual assault occurs.

### ***Conclusion***

In conclusion, the Department finds USAFA is in compliance with the Advocacy/Victim Assistance line of effort. The Department commends the dedicated USAFA SAPR staff, but encourages USAFA leadership to fully resource SAPR at USAFA and 10th ABW to avoid interrupted victim advocacy services to victims. As described above, the following recommendations advocacy/victim assistance practices at USAFA should be sustained or improved.

### ***Sustain***

- Cadet involvement in Sexual Assault Awareness Month (SAAM)
- Efforts to reduce the amount of time elapsed between incident and report
- Work to increase victims engaging in initial and follow up health care services



### *Improve*

- Establish SARC and VA positions at 10th ABW
- In accordance with applicable regulations, train and assign volunteer SAPR VAs as interim solution
- Fully staff the SAPR office
- Ensure 24-hour access to victim services and publicize/utilize Safe Helpline
- Appoint a dedicated SAPR training resource that would allow the SARC and SAPR VAs to focus on victim advocacy
- Ensure all personnel investigating sexual harassment complaints, providing sexual harassment prevention training or working in victims' assistance and support programs, receive the training necessary for them to carry out their MEO-related duties
- Submit the locally produced POSH-developed training plans to the DEOMI for review and comment consistent with DoD policy
- Identify appropriate level of sexual assault response training and procedures and provide on an annual basis to officer, enlisted, and civilian representatives (to include those leading off-campus activities)

## **LINE OF EFFORT 5: ASSESSMENT**

### *Summary of Approach*

The fifth line of effort in the DoD SAPR Strategic Plan is Assessment. The Department aims to effectively standardize measure, analyze, assess, and report program successes.

Assessment is an enduring process of data collection and analytics designed to improve program effectiveness, and is embedded with the four other lines of effort. The end state is to incorporate responsive, meaningful, and accurate systems of measurement and evaluation into every aspect of SAPR programs in order to determine their effectiveness. USAFA is in compliance with the Assessment line of effort.

### *Status of Compliance Line of Effort 5:*

*In Compliance*

### **Outcome Based Metrics that Measure Program Performance**

USAFA collects data for analysis, with a focus on curriculum evaluation. During APY 12-13, an USAF-level Integrated Process Team reviewed SAPR Accessions curriculum and conducted a gap analysis. Also, USAFA continued working with curriculum consultants and subject-matter experts to assess and evaluate current training programs.

For meaningful program performance measurement, USAFA should develop a thorough and integrated USAFA "SAPR" strategic plan in alignment with the USAF and DoD SAPR Strategic Plans. A SAPR strategic plan should streamline and integrate the various activities and provide a centralized and comprehensive approach to reduce, with the goal to eliminate, sexual assault and harassment at the Academy. Some of the



current efforts, while showing promise, may be losing their effectiveness. Cadets stated during focus groups that the training and awareness efforts are repetitive, which makes them “numb” to SAPR training and programming. The robust response-related efforts at USAFA appear to have contributed to the increase in cadets seeking victim-related services. However, it appears less focus has been paid to creating equally robust and centrally coordinated prevention programming. A SAPR strategic plan should be informed in part by the USAF and DoD SAPR Strategic Plans, as well as the draft USAFA Gender Relations Integrated Platform (GRIP).

In their April 3, 2013 response to the Secretary of Defense memo dated December 20, 2012, USAFA endorsed a new metrics initiative for a “cross mission element gender relations assessment plan,” called the GRIP. The model aims to achieve a better understanding of the gender relations culture at USAFA, monitor curricula, activities, and events across USAFA that influence gender relations, and measure their impact. The GRIP focuses on continuous improvement—information will be collected, synthesized, and used to improve and promote a positive gender relations culture.

The GRIP initiative includes a plan to produce quarterly reports on the climate and progress in reducing related unacceptable behaviors. Curricula, activities, and events impact four broad and interrelated areas, called Areas of Impact: Institutional Commitment; Gender Related Behaviors; Learning and Development; and Cadet Commitment. The GRIP includes metrics and sources for each of the Areas of Impact, as well as thoughtful purpose statements for each metric.

The Department commends USAFA personnel for developing the GRIP assessment initiative; it is a first-of-a-kind set of metrics for USAFA leadership to evaluate progress across a wide range of initiatives and should be considered by the other MSAs. Unfortunately, SAPRO did not see any evidence that USAFA leadership were actively working to further develop or implement the GRIP or any other gender-relations metrics. The Department encourages further development of metrics initiatives, including the promising approaches contained within the GRIP. All metric initiatives should align with the USAF SAPR strategic plan and the recommended USAFA SAPR strategic plan.

### **Climate Assessment**

USAFA currently uses the *Service Academy Gender Relations* (SAGR) survey and focus groups, conducted by the Defense Manpower Data Center (DMDC), as reliable methods for climate assessment. In addition to these methods, USAFA should consider conducting command climate assessment surveys at the small unit-level (for cadets and Prep School candidates) to assess the climate for increased granularity and oversight of noncommissioned officers and squadron officers.<sup>76</sup> If implemented, USAFA should provide results of the command climate assessment surveys to the cadet leadership

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<sup>76</sup> Direction provided in the Fiscal Year 2013 National Defense Authorization Act and the Under Secretary of Defense for Personnel and Readiness Memorandum on Command Climate Assessments, dated July 25, 2013.

and to the next level up the chain of command in accordance with the May 6, 2013 Secretary of Defense direction.<sup>77</sup>

### **Conclusion**

In conclusion, the Department finds USAFA is in compliance with the Assessment line of effort. As described above, the following assessment practices at USAFA should be sustained or improved.

### **Sustain**

- Innovative approaches to complex problems, such as the assessment approaches contained within the USAFA Gender Relations Institutional Platform

### **Improve**

- Establish and implement USAFA SAPR Strategic Plan in alignment with USAF SAPR Strategic Plan
- Continue developing the draft USAFA Gender Relations Institutional Platform and align with the USAFA SAPR Strategic Plan
- Consider conducting command climate assessment surveys at the small unit-level (for cadets and Prep School candidates) and provide results of the surveys to the cadet leadership and to the next level up the chain of command

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<sup>77</sup> Direction provided in the Secretary of Defense Memorandum on Sexual Assault Prevention and Response, dated May 6, 2013. The subject provision was to be implemented by July 31, 2013.

## ASSESSMENT OF RECOMMENDATIONS FROM PREVIOUS REPORTS

The Department provided twenty-eight recommendations and actions items from the APY 08-09 and APY 10-11 Reports, five of which remained incomplete entering APY 12-13. The Department assessed the status of the five incomplete recommendations and action items. The Department found sufficient evidence to close two recommendations, while three remain open.

1. **Action:** Establish quarterly conference call with MSA SAPR and POSH Program personnel.  
**Status:** Complete.
2. **Action:** Develop outcome-based metrics to address all prevention efforts.  
**Status:** In progress. USAFA personnel drafted a comprehensive set of metrics but have not yet implemented the metrics in an assessment process.
3. **Action:** Address collateral misconduct misperceptions in training.  
**Status:** In progress. No evidence was found of correcting collateral misconduct perceptions in training.
4. **Action:** Establish a second SARC position to support other units.  
**Status:** In progress. A second SARC position has not been filled.
5. **Action:** Consider training volunteer SAPR VAs and/or additional full-time staff to work with victims originating within the Air Base Wing, the Preparatory School, and the Pueblo County populations.  
**Status:** Complete. The Wing Commander at the 10th ABW received guidance allowing volunteer support. While volunteers are not yet utilized, the Department recommends implementing volunteer support so the 10th ABW and other populations have dedicated resources and the cadet SAPR VAs can focus on cadet victim services.

USAFA must address the remaining recommendations from the APY 08-09 Report, as well as the necessary action items put forth in the APYs 10-11 and 12-13 Reports in a timely manner. USAFA must provide an update on its progress to address these recommendations with their self-assessment for APY 13-14.

## APPENDICES

### APPENDIX A: ACRONYM DICTIONARY

ABW	Air Base Wing
AD	Athletic Department
ADD	Alcohol Detection Devices
ADEO	Alcohol and Drug Education Officer
AFOSI	Air Force Office of Special Investigations
AMT	Academy Military Trainers
AOC	Air Officers Commanding
APY	Academic Program Year
ART	Academy Response Team
BCT	Basic Cadet Training
BI	Bystander Intervention
BIT	Bystander Intervention Training
CAIB/IDS	Community Action and Information Board/Integrated Delivery Systems
CASH/A	Cadets Against Sexual Harassment/Assault
CBT	Cadet Basic Training
CID	Criminal Investigations Division
CMEQ	Command Management Equal Opportunity
CNIC	Commander, Navy Installation Command
CW	Cadet Wing
CWP	Culture and Climate
DEOCS	Defense Equal Opportunity Climate Survey
DEOMI	Defense Equal Opportunity Management Institute
DIA	Director of Intercollegiate Athletics
DMDC	Defense Manpower Data Center
DoD	Department of Defense
DON	Department of the Navy
D-SAACP	Department of Defense Sexual Assault Advocate Certification Program
DSAID	Defense Sexual Assault Incident Database
EO	Equal Opportunity
EOA	Equal Opportunity Advisor
FLETC	Federal Law Enforcement Training Center
GRIP	Gender Relations Integrated Platform

GUIDE	Guidance, Understanding, Information, Direction, Education
IG	Inspector General
JAG	Judge Advocate General
LCSW	Licensed Clinical Social Worker
MCASA	Maryland Coalition Against Sexual Assault
MCIO	Military Criminal Investigation Organization
MDC	Midshipman Development Center
MEO	Military Equal Opportunity
MIAD	Military Individual Advance Development
MOU	Memorandum of Understanding
MSA	Military Service Academy
NAAA	Naval Academy Athletic Association
NAPS	Naval Academy Preparatory School
NCIS	Naval Criminal Investigations Service
NCO	Non Commissioned Officer
NETC	Naval Education and Training Command
NHCA	Naval Health Clinic Annapolis
ODMEO	Office of Diversity Management and Equal Opportunity
PEER	Personal Ethics and Education Representatives
PME2	Professional Military Ethic Education
POSH	Prevention and Sexual Harassment
PPC	Peak Performance Center
RFHD	Respect for Human Dignity
RMP	Respect Mentorship Program
ROI	Reports of Investigation
RSLO	Regional Legal Services Office
SAAM	Sexual Assault Awareness Month
SACMG	Sexual Assault Case Management Group
SAFE	Sexual Assault Forensic Exam
SAGR	Service Academy Gender Relations
SANE	Sexual Assault Nurse Examiner
SAPR	Sexual Assault Prevention and Response
SAPRO	Sexual Assault Prevention and Response Office
SARB	Sexual Assault Review Board
SARC	Sexual Assault Response Coordinator
SART	Sexual Assault Response Team
SHAPE	Sexual Harassment and Assault Prevention Education
SHARP	Sexual Harassment/Assault Response and Prevention

SJA	Staff Judge Advocate
SSA	Supervisory Special Agent
SVC	Special Victims' Counsel
SVUIC	Special Victim Unit Investigation Course
TAC	Tactical Officers
TCAP	Trial Counsel Assistance Program
TSC	Training Support Command
UCMJ	Uniform Code of Military Justice
USACIL	U.S. Army Criminal Investigation Laboratory
USAFA	United States Air Force Academy
USCC	United States Corps of Cadets
USMA	United States Military Academy
USNA	United States Naval Academy
USNAINST	United States Naval Academy Instruction
VA	Victim Advocate
VWAC	Victim Witness Assistance Coordinator
VWAP	Victim Witness Assistance Program
VWL	Victim Witness Liaison
VWLO	Victim Witness Liaison Officer



## **APPENDIX B: LAW REQUESTING REPORT**

### **NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007 PUBLIC LAW 109-364**

#### **SEC. 532. REVISION AND CLARIFICATION OF REQUIREMENTS WITH RESPECT TO SURVEYS AND REPORTS CONCERNING SEXUAL HARASSMENT AND SEXUAL VIOLENCE AT THE SERVICE ACADEMIES.**

##### **(a) Codification and Revision to Existing Requirement for Service Academy Policy on Sexual Harassment and Sexual Violence.--**

**(1) United states military academy.--Chapter 403 of title 10, United States Code, is amended by adding at the end the following new section:**

##### **Sec. 4361. Policy on sexual harassment and sexual violence**

(a) Required Policy.--Under guidance prescribed by the Secretary of Defense, the Secretary of the Army shall direct the Superintendent of the Academy to prescribe a policy on sexual harassment and sexual violence applicable to the cadets and other personnel of the Academy.

(b) Matters To Be Specified in Policy.--The policy on sexual harassment and sexual violence prescribed under this section shall include specification of the following:

(1) Programs to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve cadets or other Academy personnel.

(2) Procedures that a cadet should follow in the case of an occurrence of sexual harassment or sexual violence, including—

(A) if the cadet chooses to report an occurrence of sexual harassment or sexual violence, a specification of the person or persons to whom the alleged offense should be reported and the options for confidential reporting;

(B) a specification of any other person whom the victim should contact; and

(C) procedures on the preservation of evidence potentially necessary for proof of criminal sexual assault.

(3) Procedures for disciplinary action in cases of alleged criminal sexual assault involving a cadet or other Academy personnel.

(4) Any other sanction authorized to be imposed in a substantiated case of sexual harassment or sexual violence involving a cadet or other Academy personnel in rape, acquaintance rape, or any other criminal sexual offense, whether forcible or nonforcible.

(5) Required training on the policy for all cadets and other Academy personnel, including the specific training required for personnel who process allegations of sexual harassment or sexual violence involving Academy personnel.

**(c) Annual Assessment.**--(1) The Secretary of Defense, through the Secretary of the Army, shall direct the Superintendent to conduct at the Academy during each Academy program year an assessment, to be administered by the Department of Defense, to determine the effectiveness of the policies, training, and procedures of the Academy with respect to sexual harassment and sexual violence involving Academy personnel.

(2) For the assessment at the Academy under paragraph (1) with respect to an Academy program year that begins in an odd-numbered calendar year, the Secretary of the Army shall conduct a survey, to be administered by the Department of Defense, of Academy personnel--

(A) to measure--

(i) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have been reported to officials of the Academy; and

(ii) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have not been reported to officials of the Academy; and

(B) to assess the perceptions of Academy personnel of--

(i) the policies, training, and procedures on sexual harassment and sexual violence involving Academy personnel;

(ii) the enforcement of such policies;

(iii) the incidence of sexual harassment and sexual violence involving Academy personnel; and

(iv) any other issues relating to sexual harassment and sexual violence involving Academy personnel.

**(d) Annual Report.**--(1) The Secretary of the Army shall direct the Superintendent of the Academy to submit to the Secretary a report on sexual harassment and sexual violence involving cadets or other personnel at the Academy for each Academy program year.

(2) Each report under paragraph (1) shall include, for the Academy program year covered by the report, the following:

(A) The number of sexual assaults, rapes, and other sexual offenses involving cadets or other Academy personnel that have been reported to Academy officials during the program year and, of those reported cases, the number that have been substantiated.

(B) The policies, procedures, and processes implemented by the Secretary of the Army and the leadership of the Academy in response to sexual harassment and sexual violence involving cadets or other Academy personnel during the program year.

(C) A plan for the actions that are to be taken in the following Academy program year regarding prevention of and response to sexual harassment and sexual violence involving cadets or other Academy personnel.

(3) Each report under paragraph (1) for an Academy program year that begins in an odd-numbered calendar year shall include the results of the survey conducted in that

program year under subsection (c)(2).

(4)(A) The Secretary of the Army shall transmit to the Secretary of Defense, and to the Board of Visitors of the Academy, each report received by the Secretary under this subsection, together with the Secretary's comments on the report.

(B) The Secretary of Defense shall transmit each such report, together with the Secretary's comments on the report, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

**(2) United States Naval Academy.**--Chapter 603 of title 10, United States Code, is amended by adding at the end the following new section:

**Sec. 6980. Policy on sexual harassment and sexual violence**

**(a) Required Policy.**--Under guidance prescribed by the Secretary of Defense, the Secretary of the Navy shall direct the Superintendent of the Naval Academy to prescribe a policy on sexual harassment and sexual violence applicable to the midshipmen and other personnel of the Naval Academy.

(b) Matters To Be Specified in Policy.--The policy on sexual harassment and sexual violence prescribed under this section shall include specification of the following:

(1) Programs to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve midshipmen or other Academy personnel.

(2) Procedures that a midshipman should follow in the case of an occurrence of sexual harassment or sexual violence, including--

(A) if the midshipman chooses to report an occurrence of sexual harassment or sexual violence, a specification of the person or persons to whom the alleged offense should be reported and the options for confidential reporting;

(B) a specification of any other person whom the victim should contact; and

(C) procedures on the preservation of evidence potentially necessary for proof of criminal sexual assault.

(3) Procedures for disciplinary action in cases of alleged criminal sexual assault involving a midshipman or other Academy personnel.

(4) Any other sanction authorized to be imposed in a substantiated case of sexual harassment or sexual violence involving a midshipman or other Academy personnel in rape, acquaintance rape, or any other criminal sexual offense, whether forcible or nonforcible.

(5) Required training on the policy for all midshipmen and other Academy personnel, including the specific training required for personnel who process allegations of sexual harassment or sexual violence involving Academy personnel.

**(c) Annual Assessment.**--(1) The Secretary of Defense, through the Secretary of the Navy, shall direct the Superintendent to conduct at the Academy during each

Academy program year an assessment, to be administered by the Department of Defense, to determine the effectiveness of the policies, training, and procedures of the Academy with respect to sexual harassment and sexual violence involving Academy personnel.

(2) For the assessment at the Academy under paragraph (1) with respect to an Academy program year that begins in an odd-numbered calendar year, the Secretary of the Navy shall conduct a survey, to be administered by the Department of Defense, of Academy personnel--

(A) to measure--

(i) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have been reported to officials of the Academy; and

(ii) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have not been reported to officials of the Academy; and

(B) to assess the perceptions of Academy personnel of--

(i) the policies, training, and procedures on sexual harassment and sexual violence involving Academy personnel;

(ii) the enforcement of such policies;

(iii) the incidence of sexual harassment and sexual violence involving Academy personnel; and

(iv) any other issues relating to sexual harassment and sexual violence involving Academy personnel.

**(d) Annual Report.**--(1) The Secretary of the Navy shall direct the Superintendent of the Naval Academy to submit to the Secretary a report on sexual harassment and sexual violence involving midshipmen or other personnel at the Academy for each Academy program year.

(2) Each report under paragraph (1) shall include, for the Academy program year covered by the report, the following:

(A) The number of sexual assaults, rapes, and other sexual offenses involving midshipmen or other Academy personnel that have been reported to Naval Academy officials during the program year and, of those reported cases, the number that have been substantiated.

(B) The policies, procedures, and processes implemented by the Secretary of the Navy and the leadership of the Naval Academy in response to sexual harassment and sexual violence involving midshipmen or other Academy personnel during the program year.

(C) A plan for the actions that are to be taken in the following Academy program year regarding prevention of and response to sexual harassment and sexual violence involving midshipmen or other Academy personnel.

(3) Each report under paragraph (1) for an Academy program year that begins in an odd-numbered calendar year shall include the results of the survey conducted in that program year under subsection (c)(2).

(4)(A) The Secretary of the Navy shall transmit to the Secretary of Defense, and to the Board of Visitors of the Naval Academy, each report received by the Secretary

under this subsection, together with the Secretary's comments on the report.

(B) The Secretary of Defense shall transmit each such report, together with the Secretary's comments on the report, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

**(3) United States Air Force Academy.**--Chapter 903 of title 10, United States Code, is amended by adding at the end the following new section:

**Sec. 9361. Policy on sexual harassment and sexual violence**

(a) Required Policy.--Under guidance prescribed by the Secretary of Defense, the Secretary of the Air Force shall direct the Superintendent of the Academy to prescribe a policy on sexual harassment and sexual violence applicable to the cadets and other personnel of the Academy.

(b) Matters to Be Specified in Policy.--The policy on sexual harassment and sexual violence prescribed under this section shall include specification of the following:

(1) Programs to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve cadets or other Academy personnel.

(2) Procedures that a cadet should follow in the case of an occurrence of sexual harassment or sexual violence, including--

(A) if the cadet chooses to report an occurrence of sexual harassment or sexual violence, a specification of the person or persons to whom the alleged offense should be reported and the options for confidential reporting;

(B) a specification of any other person whom the victim should contact; and

(C) procedures on the preservation of evidence potentially necessary for proof of criminal sexual assault.

(3) Procedures for disciplinary action in cases of alleged criminal sexual assault involving a cadet or other Academy personnel.

(4) Any other sanction authorized to be imposed in a substantiated case of sexual harassment or sexual violence involving a cadet or other Academy personnel in rape, acquaintance rape, or any other criminal sexual offense, whether forcible or nonforcible.

(5) Required training on the policy for all cadets and other Academy personnel, including the specific training required for personnel who process allegations of sexual harassment or sexual violence involving Academy personnel.

**(c) Annual Assessment.**--(1) The Secretary of Defense, through the Secretary of the Air Force, shall direct the Superintendent to conduct at the Academy during each Academy program year an assessment, to be administered by the Department of Defense, to determine the effectiveness of the policies, training, and procedures of the Academy with respect to sexual harassment and sexual violence involving Academy personnel.

(2) For the assessment at the Academy under paragraph (1) with respect to an Academy program year that begins in an odd-numbered calendar year, the Secretary of the Air Force shall conduct a survey, to be administered by the Department of Defense, of Academy personnel--

(A) to measure--

(i) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have been reported to officials of the Academy; and

(ii) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have not been reported to officials of the Academy; and

(B) to assess the perceptions of Academy personnel of--

(i) the policies, training, and procedures on sexual harassment and sexual violence involving Academy personnel;

(ii) the enforcement of such policies;

(iii) the incidence of sexual harassment and sexual violence involving Academy personnel; and

(iv) any other issues relating to sexual harassment and sexual violence involving Academy personnel.

**(d) Annual Report.**--(1) The Secretary of the Air Force shall direct the Superintendent of the Academy to submit to the Secretary a report on sexual harassment and sexual violence involving cadets or other personnel at the Academy for each Academy program year.

(2) Each report under paragraph (1) shall include, for the Academy program year covered by the report, the following:

(A) The number of sexual assaults, rapes, and other sexual offenses involving cadets or other Academy personnel that have been reported to Academy officials during the program year and, of those reported cases, the number that have been substantiated.

(B) The policies, procedures, and processes implemented by the Secretary of the Air Force and the leadership of the Academy in response to sexual harassment and sexual violence involving cadets or other Academy personnel during the program year.

(C) A plan for the actions that are to be taken in the following Academy program year regarding prevention of and response to sexual harassment and sexual violence involving cadets or other Academy personnel.

(3) Each report under paragraph (1) for an Academy program year that begins in an odd-numbered calendar year shall include the results of the survey conducted in that program year under subsection (c)(2).

(4)(A) The Secretary of the Air Force shall transmit to the Secretary of Defense, and to the Board of Visitors of the Academy, each report received by the Secretary under this subsection, together with the Secretary's comments on the report.

(B) The Secretary of Defense shall transmit each such report, together with the Secretary's comments on the report, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.



**(b) Further Information From Cadets and Midshipmen at the Service Academies on Sexual Assault and Sexual Harassment Issues.--**

**(1) Use of focus groups for years when survey not required.--**In any year in which the Secretary of a military department is not required by law to conduct a survey at the service Academy under the Secretary's jurisdiction on matters relating to sexual assault and sexual harassment issues at that Academy, the Secretary shall provide for focus groups to be conducted at that Academy for the purposes of ascertaining information relating to sexual assault and sexual harassment issues at that Academy.

**(2) Inclusion in report.--**Information ascertained from a focus group conducted pursuant to paragraph (1) shall be included in the Secretary's annual report to Congress on sexual harassment and sexual violence at the service academies.

**(3) Service academies.--**For purposes of this subsection, the term service Academy means the following:

- (A) The United States Military Academy.
- (B) The United States Naval Academy.
- (C) The United States Air Force Academy.

**(c) Repeal of Prior Law.--**Section 527 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1469; 10 U.S.C. 4331 note) is repealed.

**(d) Clerical Amendments.--**

**(1)** The table of sections at the beginning of chapter 403 of title 10, United States Code, is amended by adding at the end the following new item:

4361. Policy on sexual harassment and sexual violence.

**(2)** The table of sections at the beginning of chapter 603 of such title is amended by adding at the end the following new item:

6980. Policy on sexual harassment and sexual violence.

**(3)** The table of sections at the beginning of chapter 903 of such title is amended by adding at the end the following new item:

9361. Policy on sexual harassment and sexual violence.

## APPENDIX C: POLICY AND REPORT REFERENCES

- 2012 *Service Academy Gender Relations Survey*, December 2012
- 2013 *Service Academy Gender Relations Focus Groups*, December 2013
- Report of the Defense Task Force on Sexual Assault in the Military Services Report*, December 2009
- Department of Defense Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies: Academic Program Year 2006-2007*, December 2007
- Department of Defense Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies: Academic Program Year 2008-2009*, December 2009
- Department of Defense Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies: Academic Program Year 2009-2010*, December 2010
- Department of Defense Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies: Academic Program Year 2010-2011*, December 2011
- Department of Defense Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies: Academic Program Year 2011-2012*, December 2012
- Department of Defense Directive 1020.02 *Diversity Management and Equal Opportunity (EO) in the Department of Defense*, 5 February 2009
- Department of Defense Directive 1030.01, *Victim and Witness Assistance*, April 13, 2004
- Department of Defense Instruction 1030.2, *Victim and Witness Assistance Procedures*, June 4, 2004
- Department of Defense Directive 1350.2 *Department of Defense Military Equal Opportunity Program*, November 21, 2003
- Department of Defense Directive 6495.01, *Sexual Assault Prevention and Response (SAPR) Program*, April 30, 2013
- Department of Defense Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*, March 28, 2013
- Manual for Courts-Martial United States*, 2008 Edition

## APPENDIX D: DATA MATRICES

### Unrestricted Sexual Assault Reports

APY12-13 UNRESTRICTED REPORTS OF SEXUAL ASSAULT AT THE UNITED STATES MILITARY SERVICE ACADEMIES	
<b>A. APY12-13 REPORTS OF SEXUAL ASSAULT</b> (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) BY or AGAINST Cadets/Midshipmen. Note: The data about Unrestricted Reports in Sections A and B below is raw, uninvestigated information about allegations received during APY12-13. These Reports may not be fully investigated by the end of the academic program year.	<b>APY12-13 Totals</b>
<b># VICTIMS in APY12-13 Unrestricted Reports</b>	<b>28</b>
# Cadet/Midshipman victims	23
# Non-Cadet/Midshipman victims	5
<b># Unrestricted Reports in the following categories</b>	<b>29</b>
# Cadet/Midshipman on Cadet/Midshipman	15
# Cadet/Midshipman on Non-Cadet/Midshipman	3
# Non-Cadet/Midshipman on Cadet/Midshipman	7
# Unidentified Subject on Cadet/Midshipman	4
<b># Unrestricted Reports of sexual assault occurring</b>	<b>29</b>
# On military installation	18
# Off military installation	11
# Unidentified location	0
<b># Investigations Initiated (From APY12-13 Unrestricted Reports)</b>	<b>24</b>
# Investigations pending completion as of 31 May 13	8
<b># Completed Investigations as of 31 May 13</b>	<b>16</b>
<b># All Restricted Reports received in APY12-13</b>	<b>48</b>
# Converted from Restricted Report to Unrestricted Report*	7
<b># APY12-13 RESTRICTED REPORTS REMAINING RESTRICTED</b>	<b>41</b>
<b>B. DETAILS OF UNRESTRICTED REPORTS RECEIVED IN APY12-13</b>	<b>APY12-13 Totals</b>
<b>Length of time between sexual assault and Unrestricted Report</b>	<b>29</b>
# Reports made within 3 days of sexual assault	5
# Reports made within 4 to 30 days after sexual assault	7
# Reports made within 31 to 365 days after sexual assault	11
# Reports made longer than 365 days after sexual assault	1
# Unknown	5
<b>Time of sexual assault</b>	<b>29</b>
# Midnight to 6 am	6
# 6 am to 6 pm	5
# 6 pm to midnight	11
# Unknown	7
<b>Day of sexual assault</b>	<b>29</b>
# Sunday	5
# Monday	2
# Tuesday	0
# Wednesday	2
# Thursday	2
# Friday	3
# Saturday	6
# Unknown	9
<b>C. SUMMARY OF ALL INVESTIGATIONS OF UNRESTRICTED REPORTS COMPLETED IN APY12-13</b>	<b>APY12-13 Totals</b>
<b># Total Investigations completed during APY12-13</b>	<b>34</b>
# Investigations opened in APY12-13 and completed in APY12-13	16
# Of these investigations with more than one victim, more than one subject, or both	1
# Investigations opened prior to APY12-13 and completed in APY12-13	18
# Of these investigations with more than one victim, more than one subject, or both	2
<b># SUBJECTS in all investigations completed during APY12-13</b>	<b>34</b>
# Cadet/Midshipman subjects in completed investigations	22
# Your Cadet/Midshipman subjects investigated by your Service	22
# Other Cadet/Midshipman subjects investigated by your Service	0
# Non-Cadet/Midshipman subjects in your Service's investigations	6
# Unidentified subjects in your Service's investigations	6
<b># VICTIMS in all investigations completed during APY12-13</b>	<b>42</b>
# Cadet/Midshipman victims	35
# Cadet/Midshipman victims own Service's investigations	35
# Other Cadet/Midshipman victims in your Service's investigations	0
# Non-Cadet/Midshipman victims in your Service's investigations	7
# Unidentified victims in your Service's investigations	0

ACADEMIC PROGRAM YEAR 2012-2013  
REPORT ON SEXUAL HARASSMENT AND VIOLENCE AT THE MILITARY SERVICE ACADEMIES

## Unrestricted Sexual Assault Reports (Continued)

D. FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED APY12-13 INVESTIGATIONS	APY12-13 Totals	D1. ASSOCIATED VICTIM DATA FOR COMPLETED APY12-13 INVESTIGATIONS	APY12-13 Totals
# Investigations opened in APY12-13 and completed in APY12-13	16	# VICTIMS in investigations opened in APY12-13 and completed in APY12-13	16
# SUBJECTS in investigations opened in APY12-13 and completed in APY12-13	16	# Cadet/Midshipman Victims in investigations opened and completed in APY12-13	13
# Cadet/Midshipman Subjects in investigations opened and completed in APY12-13	8	# Total Victims associated with MCIO unfounded allegations	1
# Total Subjects with allegations unfounded by a Military Criminal Investigative Organization	1	# Cadet/Midshipman Victims involved in MCIO unfounded allegations	1
# Cadet/Midshipman Subjects with allegations unfounded by MCIO	1	# Non-Cadet/Midshipman Victims involved in MCIO unfounded allegations	0
# Non-Cadet/Midshipman Subjects with allegations unfounded by MCIO	0		
# Total Subjects Outside DoD Prosecutive Authority	7	# Cadet/Midshipman Victims in substantiated Unknown Offender Reports	1
# Unknown Offenders	4	# Cadet/Midshipman Victims in remaining Unknown Offender Reports	3
# US Civilians or Foreign National Subjects not subject to the UCMJ	2	# Cadet/Midshipman Victims in substantiated Civilian/Foreign National Subject Reports	2
# Cadets/Midshipmen Prosecuted by a Civilian or Foreign Authority	0	# Cadet/Midshipman Victims in remaining Civilian/Foreign National Subject Reports	0
# Subjects who died or deserted	1	# Cadet/Midshipman Victims in substantiated reports against a Cadet/Midshipman who is being Prosecuted by a Civilian/Foreign Authority	0
		# Cadet/Midshipman Victims in substantiated reports with a deceased or deserted subject	0
		# Cadet/Midshipman Victims in remaining reports with a deceased or deserted subject	0
# Total Command Action Precluded or Declined for Sexual Assault	5	# Cadet/Midshipman victims who declined to participate in the military justice action	4
# Cadet/Midshipman Subjects where victim declined to participate in the military justice action	4	# Cadet/Midshipman victims in investigations having insufficient evidence to prosecute	0
# Cadet/Midshipman Subjects whose investigations had insufficient evidence to prosecute	0	# cadets/midshipmen victims whose cases involved expired statute of limitations	0
# Cadet/Midshipman Subjects whose cases involved expired statute of limitations	0	# Cadet/Midshipman victims whose allegations were unfounded by Command	0
# Cadet/Midshipman Subjects with allegations that were unfounded by Command	0	# Cadet/Midshipman victims who died before completion of the military justice action	0
# Cadet/Midshipman Subjects with victims who died before completion of military justice action	0	# Cadet/Midshipman Victims still awaiting command action on a subject as of 31 May 13	1
# Subjects still awaiting command action as of 31 May 13	1		
# Subjects for whom command action was completed as of 31 May 13	2	# APY12-13 Cadet/Midshipman Victims in cases where evidence supported Command Action	1
# APY12-13 Cadet/Midshipman Subjects where evidence supported Command Action	2	# Cadet/Midshipman Victims involved with Court-martial referrals (Initiations) against subject	0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred (Initiated)	1	# Cadet/Midshipman Victims involved with Nonjudicial punishments (Article 15) against subject	0
# Cadet/Midshipman Subjects: Nonjudicial punishments (Article 15 UCMJ)	0	# Cadet/Midshipman Victims involved with Administrative discharges against subject	0
# Cadet/Midshipman Subjects: Administrative discharges	0	# Cadet/Midshipman Victims involved with Other administrative actions against subject (including Cadet Disciplinary System)	0
# Cadet/Midshipman Subjects: Other adverse administrative actions (including Cadet Disciplinary System)	0	# Cadet/Midshipman Victims involved with Court-martial referrals for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with Nonjudicial punishment for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Non-judicial punishment for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with administrative discharges for non-SA offense	0
# Cadet/Midshipman Subjects: Administrative discharges for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with Other administrative actions for non-SA offense (including Cadet Disciplinary System)	1
# Cadet/Midshipman Subjects: Other adverse administrative actions for non-sexual assault offense (including Cadet Disciplinary System)	1		
E. FINAL DISPOSITIONS FOR SUBJECTS IN Pre-APY12-13 INVESTIGATIONS (Prior year investigations completed in APY12-13)	APY12-13 Totals	E1. ASSOCIATED VICTIM DATA FOR COMPLETED Pre-APY12-13 INVESTIGATIONS	APY12-13 Totals
# Total Number of Pre-APY12-13 Investigations pending completion at the end of APY11-12 (31 May 12)	19	# VICTIMS in investigations opened prior to APY12-13 and completed in APY12-13	26
# Pre-APY12-13 Investigations STILL PENDING completion as of 31 May 13	1	# Cadet/Midshipman Victims in investigations opened prior to APY12-13 and completed in APY12-13	22
# Pre-APY12-13 Investigations completed as of 31 May 13	18	# Total Pre-APY12-13 Victims associated with MCIO unfounded allegations	0
# SUBJECTS in Pre-APY12-13 investigations completed by 31 May 13	18	# Cadet/Midshipman Victims involved in MCIO unfounded allegations	0
# Cadet/Midshipman Subjects in Pre-APY12-13 investigations completed in APY12-13	14	# Non-Cadet/Midshipman Victims involved in MCIO unfounded allegations	0
# Total Pre-APY12-13 Subjects with allegations unfounded by a Military Criminal Investigative Organization	0	# Cadet/Midshipman Victims in substantiated Unknown Offender Reports	0
# Cadet/Midshipman Subjects with allegations unfounded by MCIO	0	# Cadet/Midshipman Victims in remaining Unknown Offender Reports	0
# Non-Cadet/Midshipman Subjects with allegations unfounded by MCIO	0	# Cadet/Midshipman Victims in substantiated Civilian/Foreign National Subject Reports	2
# Total Pre-APY12-13 Subjects Outside DoD Prosecutive Authority	4	# Cadet/Midshipman Victims in remaining Civilian/Foreign National Subject Reports	0
# Unknown Offenders	0	# Cadet/Midshipman Victims in substantiated reports against a Cadet/Midshipman who is being Prosecuted by a Civilian/Foreign Authority	2
# US Civilians or Foreign National Subjects not Subject to the UCMJ	2	# Cadet/Midshipman Victims in substantiated reports with a deceased or deserted subject	0
# Cadets/midshipmen Prosecuted by a Civilian or Foreign Authority	2	# Cadet/Midshipman Victims in remaining reports with a deceased or deserted subject	0
# Subjects who died or deserted	0	# Cadet/Midshipman victims who declined to participate in the military justice action	3
# Total Command Action Precluded or Declined for Sexual Assault	3	# Cadet/Midshipman victims in investigations having insufficient evidence to prosecute	0
# Cadet/Midshipman Subjects where victim declined to participate in the military justice action	3	# cadets/midshipmen victims whose cases involved expired statute of limitations	0
# Cadet/Midshipman Subjects whose investigations had insufficient evidence to prosecute	0	# Cadet/Midshipman victims whose allegations were unfounded by Command	0
# Cadet/Midshipman Subjects whose cases involved expired statute of limitations	0	# Cadet/Midshipman victims who died before completion of the military justice action	0
# Cadet/Midshipman Subjects with allegations that were unfounded by Command	0	# Cadet/Midshipman victims still awaiting command action on a subject as of 31 May 13	2
# Cadet/Midshipman Subjects with victims who died before completion of military justice action	0		
# Subjects still awaiting command action as of 31 May 13	2	# Pre-APY12-13 Cadet/Midshipman Victims in cases where evidence supported Command Action	13
# Subjects for whom command action was completed as of 31 May 13	9	# Cadet/Midshipman Victims involved with Court-martial referrals (Initiations) against subject	9
# Pre-APY12-13 Cadet/Midshipman Subjects where evidence supported Command Action	9	# Cadet/Midshipman Victims involved with Nonjudicial punishments (Article 15) against subject	0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred (Initiated)	4	# Cadet/Midshipman Victims involved with Administrative discharges against subject	0
# Cadet/Midshipman Subjects: Nonjudicial punishments (Article 15 UCMJ)	0	# Cadet/Midshipman Victims involved with Other administrative actions against subject (including Cadet Disciplinary System)	1
# Cadet/Midshipman Subjects: Administrative discharges	0	# Cadet/Midshipman Victims involved with Court-martial referrals for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Other adverse administrative actions (including Cadet Disciplinary System)	1	# Cadet/Midshipman Victims involved with Nonjudicial punishment for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred for non-sexual assault offense	1	# Cadet/Midshipman Victims involved with administrative discharges for non-SA offense	0
# Cadet/Midshipman Subjects: Non-judicial punishment for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with Other administrative actions for non-SA offense (including Cadet Disciplinary System)	3
# Cadet/Midshipman Subjects: Administrative discharges for non-sexual assault offense	0		
# Cadet/Midshipman Subjects: Other adverse administrative actions for non-sexual assault offense (including Cadet Disciplinary System)	3		

\* Restricted Reports that convert to Unrestricted Reports are counted with the total number of Unrestricted Reports.

## Unrestricted Sexual Assault Reports (Continued)

<b>F. COURTS-MARTIAL ADJUDICATIONS AND OUTCOMES (Sexual Assault Charge).</b> This section reports the outcomes of courts-martial for sexual assault crimes completed during the Fiscal Year. It combines outcomes for court actions reported in Sections D and E above.		<b>APY12-13 Totals</b>
# Total Subjects with Courts-Martial Charge Preferred (Initiated) for a Sexual Assault Charge in APY12-13		5
# Subjects whose courts-martial action was NOT completed by the end of APY12-13		0
# Subjects for whom no court-outcome data was available		0
# Subjects whose courts-martial action was completed by the end of APY12-13		5
# Subjects whose court-martial charges were dismissed		1
# Subjects with dismissed court charges who subsequently received NJP		0
# Subjects who resigned or were discharged in lieu of court-martial		0
# Officer subjects who were allowed to resign in lieu of court-martial		0
# Enlisted subjects who were discharged in lieu of court-martial		0
# Subjects with court-martial charges proceeding to trial on a sexual assault charge		4
# Subjects Acquitted of Charges		1
# Subjects Convicted of Any Charge at Trial		3
Punishments Imposed (For each convicted subject, count all forms of punishment imposed)		
# Subjects receiving confinement		3
# Subjects receiving reductions in rank		0
# Subjects receiving fines or forfeitures		2
# Subjects receiving a punitive discharge (Dishonorable, Bad Conduct, or Dismissal)		3
# Subjects receiving restriction or some limitation on freedom		0
# Subjects receiving extra duty		0
# Subjects receiving hard labor		0
# Subjects to be processed for administrative discharge or separation subsequent to sexual assault conviction		0
# Convicted subjects with a conviction under a UCMJ Article that requires Sex Offender Registration		3
<b>G. Nonjudicial Punishments Imposed (Sexual Assault Charge).</b> This section reports the outcomes of nonjudicial punishments for sexual assault crimes completed during the Fiscal Year. It combines outcomes for nonjudicial punishment actions reported in Sections D and E above.		<b>APY12-13 Totals</b>
# Total Subjects with Nonjudicial Punishment (Article 15) for a Sexual Assault Charge in APY12-13		0
# Subjects whose nonjudicial punishment action was not completed by the end of APY12-13		0
# Subjects for whom nonjudicial punishment data was not available		0
# Subjects whose nonjudicial punishment action was completed by the end of APY12-13		0
# Subjects whose nonjudicial punishment was dismissed		0
# Subjects administered nonjudicial punishment		0
Punishments Imposed (For each punished subject, count all forms of punishment imposed)		
# Subjects receiving correctional custody		0
# Subjects receiving reductions in rank		0
# Subjects receiving fines or forfeitures		0
# Subjects receiving restriction or some limitation on freedom		1
# Subjects receiving extra duty		0
# Subjects receiving hard labor		0
# Subjects receiving a reprimand		0
# Subjects processed for an administrative discharge or separation subsequent to nonjudicial punishment on a sexual assault charge		0
<b>H. Other Actions Taken.</b> This section reports other disciplinary action taken for subjects who were investigated for sexual assault. It combines outcomes for subjects in these categories listed in Sections D and E above.		<b>APY12-13 Totals</b>
# Subjects receiving an administrative discharge or other separation for a sexual assault offense		0
# Subjects receiving other adverse administrative action for a sexual assault offense		1
<b>I. COURTS-MARTIAL ADJUDICATIONS AND OUTCOMES (Non-sexual assault offense).</b> This section reports the outcomes of courts-martial for subjects who were investigated for sexual assault, but upon review of the evidence there was only probable cause for a non-sexual assault offense. It combines outcomes for subjects in this category listed in Sections D and E above.		<b>APY12-13 Totals</b>
# Total Subjects with Courts-Martial Charge Preferred for a non-sexual assault offense in APY12-13		0
# Subjects whose courts-martial action was NOT completed by the end of APY12-13		0
# Subjects for whom no court-outcome data was available		0
# Subjects whose courts-martial action was completed by the end of APY12-13		0
# Subjects whose court-martial was dismissed		0
# Subjects with dismissed court charges who subsequently received NJP		0
# Subjects who resigned or were discharged in lieu of court-martial for a non-sexual assault offense		0
# Officer subjects who were officers that were allowed to resign in lieu of court-martial		0
# Enlisted subjects that were discharged in lieu of court-martial		0
# Subjects with court-martial charges proceeding to trial on a non-sexual assault offense		0
# Subjects Acquitted of Charges		0
# Subjects Convicted of Any Charge at Trial		0
Punishments Imposed (For each convicted subject, count all forms of punishment imposed)		
# Subjects receiving confinement		0
# Subjects receiving reductions in rank		0
# Subjects receiving fines or forfeitures		0
# Subjects receiving a punitive discharge (Dishonorable, Bad Conduct, or Dismissal)		0
# Subjects receiving restriction or some limitation on freedom		0
# Subjects receiving extra duty		0
# Subjects receiving hard labor		0
# Subjects processed for an administrative discharge or separation subsequent to conviction at trial		0
# Convicted subjects with a conviction under a UCMJ Article that requires Sex Offender Registration		0
<b>J. Nonjudicial Punishments Imposed (Non-sexual assault offense).</b> This section reports the outcomes of nonjudicial punishments for subjects who were investigated for sexual assault, but upon review of the evidence there was only probable cause for a non-sexual assault offense. It combines outcomes for subjects in this category listed in Sections D and E above.		<b>APY12-13 Totals</b>
# Total Subjects with Nonjudicial Punishment (Article 15) for a non-sexual assault offense in APY12-13		1
# Subjects whose nonjudicial punishment action was not completed by the end of APY12-13		0
# Subjects for whom nonjudicial punishment data was not available		0
# Subjects whose nonjudicial punishment action was completed by the end of APY12-13		1
# Subjects whose nonjudicial punishment was dismissed		0
# Subjects administered nonjudicial punishment for a non-sexual assault offense		1
Punishments Imposed (For each punished subject, count all forms of punishment imposed)		
# Subjects receiving correctional custody		0
# Subjects receiving reductions in rank		0
# Subjects receiving fines or forfeitures		0
# Subjects receiving restriction or some limitation on freedom		1
# Subjects receiving extra duty		0
# Subjects receiving hard labor		0
# Subjects receiving a reprimand		0
# Subjects receiving an administrative discharge subsequent to nonjudicial punishment		0
<b>K. Other Actions Taken (Non-sexual assault offense).</b> This section reports other disciplinary action taken for subjects who were investigated for sexual assault, but upon review of the evidence there was only probable cause for a non-sexual assault offense. It combines outcomes for subjects in these categories listed in Sections D and E above.		<b>APY12-13 Totals</b>
# Subjects receiving an administrative discharge or other separation for a non-sexual assault offense		0
# Subjects receiving other adverse administrative action for a non-sexual assault offense		4

## Unrestricted Sexual Assault Reports (Continued)

APY12-13 UNRESTRICTED REPORTS (UR) OF SEXUAL ASSAULT - Cadet/Midshipman STATUS BY GENDER																
L. REPORTED SEXUAL ASSAULTS INVOLVING Cadets/Midshipman (BY or AGAINST Cadets/Midshipmen) IN THE BELOW CATEGORIES FOR ALL APY12-13 INVESTIGATIONS (UR) [Investigation opened within the reporting period]	Male on Female	Male on Male	Female on Male	Female on Female	Unknown on Male	Unknown on Female	Multiple Gender Assault	APY12-13 Totals								
	25	3	1	0	0	0	0	29								
# Cadet/Midshipman on Cadet/Midshipman	15	0	0	0	0	0	0	15								
# Cadet/Midshipman on Non-Cadet/Midshipman	2	0	0	0	0	0	0	2								
# Non-Cadet/Midshipman on Cadet/Midshipman	7	2	1	0	0	0	0	10								
# Undetected subject on Cadet/Midshipman	0	1	0	0	0	0	0	1								
APY12-13 UNRESTRICTED REPORTS OF SEXUAL ASSAULT BY MATTER INVESTIGATED TYPE (May not reflect what crimes can be charged upon completion of investigation)									Incidents Occurring in Prior Academic Program Years, but Reported in APY12-13							
UNRESTRICTED REPORTS MADE IN APY12-13									Incidents Occurring and Reported in APY12-13							
M. REPORTED SEXUAL ASSAULTS INVOLVING cadets/midshipmen (BY or AGAINST cadets/midshipmen) IN THE FOLLOWING CATEGORIES FOR ALL APY12-13 INVESTIGATIONS (Investigation opened within the reporting period) [This section is drawn from raw, uninvestigated information about Unrestricted Reports received during APY12-13. These Reports may not be fully investigated by the end of the fiscal year.]	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Assault (Art. 120) and Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Indecent Assault (Art. 134)	Attempts to Commit Offense (Art. 80)	Aggravated Sexual Assault (Art. 120) and Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Indecent Assault (Art. 134)	Attempts to Commit Offense (Art. 80)	APY12-13 Totals
	5	2	0	1	1	0	0	0	3	5	0	10	1	0	0	26
	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	2
	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
# TOTAL Cadet/Midshipman Victims in APY12-13 Reports	5	2	0	1	1	0	0	0	2	4	0	9	1	0	0	26
# Cadet/Midshipman Victims: Male	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
# Cadet/Midshipman Victims: Female	4	2	0	1	1	0	0	0	2	4	0	9	1	0	0	25
TIME OF INCIDENT BY OFFENSE TYPE FOR UNRESTRICTED REPORTS OF SEXUAL ASSAULT MADE IN APY12-13																
Time of sexual assault																
# Midnight to 6 am	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 6 am to 6 pm	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
# 6 pm to midnight	2	1	0	0	0	0	0	0	2	2	0	4	0	0	0	11
# Unknown	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	7
Day of sexual assault																
# Sunday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Monday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Tuesday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Wednesday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Thursday	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
# Friday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Saturday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	4	1	0	0	0	0	0	0	0	0	0	0	0	0	0	5



## Unrestricted Sexual Assault Reports (Continued)

MILITARY SERVICE ACADEMIES ON VICTIMS IN INVESTIGATIONS COMPLETED IN APY12-13 (Unrestricted Sexual Assault Reports opened by the Service Investigation Agency, regardless of when investigation was opened). The information below is drawn from all investigations that were closed during APY12-13, and does not correspond to the data reported in sections L and M, above.																	Victim Data From Investigations Completed in APY12-13										APY12-13 Totals
																	Victim Data From Investigations Completed in APY12-13										
																	Victim Data From Investigations Completed in APY12-13										
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																	Victim Data From Investigations Completed in APY12-13										

## Unrestricted Sexual Assault Reports (Continued)

AP12-13 [Investigation Completed within the reporting period by the Service Investigation Agencies, regardless of when investigation was opened] Note: The information below is drawn from all investigations that were closed during AP12-13, and does not correspond to the data reported in sections L and M, above																	AP12-13 Totals																	
Subject Data From Investigations Opened in Prior Years, but closed during AP12-13																	Subject Data from Investigations Opened and Closed in AP12-13																	AP12-13 Totals
Gender of SUBJECTS																	Gender of SUBJECTS																	
# Male	3	9	2	2	2	0	0	0	0	0	0	0	2	7	0	6	0	0	0	0	34													
# Female	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	5	0	0	0	3													
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Age of SUBJECTS																	Age of SUBJECTS																	
# 16-19	3	9	2	2	2	0	0	0	0	0	0	0	2	7	0	6	0	1	0	0	34													
# 20-24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# 25-29	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	14													
# 30-34	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# 35-49	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# 50-64	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1													
# 65 and older	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Subject Type																	Subject Type																	
# Service Member	3	9	2	2	2	0	0	0	0	0	0	0	2	7	0	6	0	1	0	0	34													
# DOD Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2													
# DOD Contractor	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# Other US Government Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# US Civilian	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2													
# Foreign National	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# Foreign Military	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Grade of Service Member SUBJECTS																	Grade of Service Member SUBJECTS																	
# E1-E4	2	8	2	2	2	0	0	0	0	0	0	0	1	3	0	4	0	0	0	0	29													
# E5-E9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6													
# WO1-WO5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# O1-O3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1													
# O4-O10	1	7	2	2	2	0	0	0	0	0	0	0	1	3	0	4	0	0	0	0	21													
# Chief/Midshipman	1	7	2	2	2	0	0	0	0	0	0	0	1	3	0	4	0	0	0	0	21													
# Academy Prep School Student	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Service of Service Member SUBJECTS																	Service of Service Member SUBJECTS																	
# Active Duty	2	8	2	2	2	0	0	0	0	0	0	0	1	3	0	4	0	0	0	0	29													
# Reserve	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# National Guard (Activated)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# National Guard (Activated - The 10)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# Chief/Midshipman	1	7	2	2	2	0	0	0	0	0	0	0	1	3	0	4	0	0	0	0	21													
# Academy Prep School Student	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Aggravated Sexual Assault (Art. 120)																	Aggravated Sexual Assault (Art. 120)																	
# Rape (Art. 120)	3	9	2	2	2	0	0	0	0	0	0	0	2	7	0	6	0	1	0	0	34													
# Aggravated Sexual Assault (Art. 120)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Aggravated Sexual Contact (Art. 120)																	Aggravated Sexual Contact (Art. 120)																	
# Sexual Assault (Art. 120)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Wrongful Sexual Contact (Art. 120)																	Wrongful Sexual Contact (Art. 120)																	
# Sexual Assault (Art. 120)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Non-Consensual Sodomy (Art. 125)																	Non-Consensual Sodomy (Art. 125)																	
# Sodomy (Art. 125)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Indecent Assault (Pre-PV08)																	Indecent Assault (Pre-PV08)																	
# Indecent Assault (Pre-PV08)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Attempts to Commit Offenses (Art. 80)																	Attempts to Commit Offenses (Art. 80)																	
# Attempts to Commit Offenses (Art. 80)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													

## Restricted Reports

US Military Service Academies - APY12-13 RESTRICTED REPORTS OF SEXUAL ASSAULT	
<b>A. APY12-13 RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, sexual assault, aggravated sexual contact, abusive sexual contact, non-consensual sodomy, and attempts to commit these offenses).</b>	<b>APY12-13 TOTALS</b>
<b># TOTAL victims initially making Restricted Reports</b>	<b>48</b>
# Cadet/Midshipman victims making Restricted Reports	48
# Non-Cadet/Midshipman Victims making Restricted Report involving a Cadet/Midshipman Subject	0
<b># Total victims who converted from Restricted Report to Unrestricted Report in the current FY*</b>	<b>7</b>
# Cadet/Midshipman victims who converted from Restricted Report to Unrestricted Report in current FY	7
# Non-Cadet/Midshipman victims who converted from Restricted Report to Unrestricted Report in current FY	0
<b># TOTAL victim reports remaining Restricted</b>	<b>41</b>
# Cadet/Midshipman victim reports remaining Restricted	41
# Non-Cadet/Midshipman victim reports remaining Restricted	0
<b># Reported sexual assaults involving cadets/ midshipmen in the following categories</b>	<b>48</b>
# Cadet/Midshipman on Cadet/Midshipman	28
# Non-Cadet/Midshipman on Cadet/Midshipman	15
# Cadet/Midshipman on Non-Cadet/Midshipman (entitled to a RR by DoD Policy)	0
# Unidentified subject on Cadet/Midshipman	5
<b>B. INCIDENT DETAILS</b>	<b>APY12-13 TOTALS</b>
<b># Reported sexual assaults occurring</b>	<b>48</b>
# On military installation	20
# Off military installation	27
# Unidentified location	1
<b>Length of time between sexual assault and Restricted Report</b>	<b>48</b>
# Reports made within 3 days of sexual assault	13
# Reports made within 4 to 30 days after sexual assault	7
# Reports made within 31 to 365 days after sexual assault	17
# Reports made longer than 365 days after sexual assault	10
# Unknown	1
<b>Time of sexual assault incident</b>	<b>48</b>
# Midnight to 6 am	11
# 6 am to 6 pm	7
# 6 pm to midnight	25
# Unknown	5
<b>Day of sexual assault incident</b>	<b>48</b>
# Sunday	13
# Monday	2
# Tuesday	2
# Wednesday	2
# Thursday	1
# Friday	7
# Saturday	14
# Unknown	7
<b>C. RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION</b>	<b>APY12-13 TOTALS</b>
<b># Cadet/Midshipman VICTIMS</b>	<b>48</b>
# Army victims	4
# Navy victims	14
# Marines victims	0
# Air Force victims	30
# Coast Guard	0
# Unknown	0
<b>D. DEMOGRAPHICS FOR APY12-13 RESTRICTED REPORTS OF SEXUAL ASSAULT</b>	<b>APY12-13 TOTALS</b>
<b>Gender of VICTIMS</b>	<b>48</b>
# Male	4
# Female	44
# Unknown	0
<b>Age of VICTIMS</b>	<b>48</b>
# 16-19	24
# 20-24	23
# 25-34	0
# 35-49	0
# 50-64	0
# 65 and older	0
# Unknown	1
<b>Grade of Service Member VICTIMS</b>	<b>48</b>
# E1-E4	0
# E5-E9	0
# WO1-WO5	0
# O1-O3	0
# O4-O10	0
# Cadet/Midshipman	47
# Academy Prep School Student	1
# Unknown	0
<b>Status of Service Member VICTIMS</b>	<b>48</b>
# Active Duty	0
# Reserve (Activated)	0
# National Guard (Activated - Title 10)	0
# Cadet/Midshipman	47
# Academy Prep School Student	1
# Unknown	0
<b>VICTIM Type</b>	<b>48</b>
# Service Member	48
# DoD Civilian	
# DoD Contractor	
# Other US Government Civilian	
# US Civilian (DoD Dependent Over Age 18)	0
# Foreign national	
# Foreign military	
# Unknown	0
<b>E. RESTRICTED REPORTING FOR A SEXUAL ASSAULT THAT OCCURRED PRIOR TO JOINING SERVICE</b>	<b>APY12-13 TOTALS</b>
<b># Cadet/Midshipman VICTIMS making a Restricted Report for Incidents Occurring Prior to Military Service</b>	<b>7</b>
# Cadets/midshipmen Making A Restricted Report for an Incident that Occurred Prior to Age 18	3
# Cadet/Midshipman Making a Restricted Report for an Incident that Occurred After Age 18	3
# Cadets/midshipmen Choosing Not to Specify	1

ACADEMIC PROGRAM YEAR 2012-2013

REPORT ON SEXUAL HARASSMENT AND VIOLENCE AT THE MILITARY SERVICE ACADEMIES

## Victim Services

US Military Service Academies - APY12-13 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT			
NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made.			
A. SUPPORT SERVICE REFERRALS TO Cadet/Midshipman VICTIMS FROM UNRESTRICTED REPORTS:			APY12-13 TOTALS
# Support service referrals for VICTIMS in the following categories			
# MILITARY Resources (Referred by DoD)			98
# Medical			20
# Mental Health			23
# Legal			11
# Chaplain/Spiritual Support			19
# Rape Crisis Center			
# Victim Advocate/Uniformed Victim Advocate			25
# DoD Safe Helpline			0
# Other			0
# CIVILIAN Resources (Referred by DoD)			73
# Medical			18
# Mental Health			19
# Legal			0
# Chaplain/Spiritual Support			0
# Rape Crisis Center			18
# Victim Advocate			18
# DoD Safe Helpline			
# Other			0
# Cases where SAFEs were conducted			3
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam			0
# Military victims making an Unrestricted Report for an incident that occurred prior to military service			4
B. APY12-13 MILITARY PROTECTIVE ORDERS (MPO)* AND EXPEDITED TRANSFERS - UNRESTRICTED REPORTS			APY12-13 TOTALS
# Military Protective Orders issued during APY12-13			11
# Reported MPO Violations in APY12-13			0
# Reported MPO Violations by Subjects			0
# Reported MPO Violations by victims of sexual assault			0
# Reported MPO Violations by Both			0
*In accordance with DoD Policy, Military Protective Orders are only issued in Unrestricted Reports. A Restricted Report cannot be made when there is a safety risk for the victim.			
		Use the following categories or add a new category to identify the reason the requests were denied:	APY12-13 TOTALS
# Unit/Duty expedited transfer requests by Cadet/Midshipman victims of sexual assault		2	Total Number Denied 0
# Unit/Duty expedited transfer requests by Cadet/Midshipman victims Denied		0	Reasons for Disapproval (Total) 0
# Installation expedited transfer requests by Cadet/Midshipman victims of sexual assault		0	Moved Alleged Offender Instead 0
# Installation expedited transfer requests by Cadet/Midshipman victims Denied		0	Pre-existing Transfer Order Used Instead 0
C. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:			APY12-13 TOTALS
# Support service referrals for VICTIMS in the following categories			
# MILITARY Resources (Referred by DoD)			169
# Medical			31
# Mental Health			44
# Legal			9
# Chaplain/Spiritual Support			41
# Rape Crisis Center			
# Victim Advocate/Uniformed Victim Advocate			44
# DoD Safe Helpline			0
# Other			0
# CIVILIAN Resources (Referred by DoD)			109
# Medical			28
# Mental Health			27
# Legal			0
# Chaplain/Spiritual Support			0
# Rape Crisis Center			27
# Victim Advocate			27
# DoD Safe Helpline			
# Other			0
# Cases where SAFEs were conducted			6
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam			0

### Victim Services (Continued)

CIVILIAN DATA	
D. SEXUAL ASSAULT SERVICES TO NON-cadets/midshipmen (DOD CIVILIANS, DEPENDENTS, CONTRACTORS, ETC)	APY12-13 TOTALS
<b># Non-cadets/midshipmen assisted in the following categories:</b>	<b>3</b>
# Cadet/Midshipman on Non-Cadet/Midshipman	1
# Non-Cadet/Midshipman on Non-Cadet/Midshipman	2
# Unidentified Subject or Undisclosed Affiliation on Non-Cadet/Midshipman	0
<b>Gender of Non-cadets/midshipmen Assisted</b>	<b>3</b>
# Male	0
# Female	3
# Unknown	0
<b>Age of Non-cadets/midshipmen Assisted</b>	<b>3</b>
# 16-19	2
# 20-24	0
# 25-34	0
# 35-49	1
# 50-64	0
# 65 and older	0
# Unknown	0
<b>Non-Cadet/Midshipman Type</b>	<b>3</b>
# DoD Civilian	0
# DoD Contractor	0
# Other US Government Civilian	2
# US Civilian	1
# Foreign National	0
# Foreign Military	0
# Unknown	0
<b># Support service referrals for Non-cadets/midshipmen in the following categories</b>	
<b># MILITARY Resources (Referred by DoD)</b>	<b>10</b>
# Medical	2
# Mental Health	2
# Legal	1
# Chaplain/Spiritual Support	2
# Rape Crisis Center	3
# Victim Advocate/Uniformed Victim Advocate	0
# DoD Safe Helpline	0
# Other	0
<b># CIVILIAN Resources (Referred by DoD)</b>	<b>8</b>
# Medical	2
# Mental Health	2
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	2
# Victim Advocate	2
# DoD Safe Helpline	0
# Other	0
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	<b>0</b>

## Sexual Assault Case Synopses (USMA)

[illegible]



## Sexual Assault Case Synopses (USNA)

[illegible]

## Sexual Assault Case Synopses (USAFA)

[illegible]

## Formal Sexual Harassment Reports

Formal Sexual Harassment Reports at the US Military Service Academies APY12-13	
<b>A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:</b> <b>a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or</b> <b>b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or</b> <b>c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.</b>	<b>APY12-13 TOTALS</b>
<b>A. Formal Sexual Harassment Complaints (total)</b>	<b>0</b>
# Cadet/Midshipman Complainants	0
# Non-Cadet/Midshipman Complainants	0
<b>B. Location of Incident</b>	<b>0</b>
# On Academy Grounds	0
# Off Academy Grounds	0
# Unidentified location	0
<b>C. # Total Sexual Harassment Investigations opened during APY12-13</b>	<b>0</b>
# Investigations pending completion as of 31 May 13	0
# Completed investigations as of 31 May 13	0
<b>D. Sexual Harassment Details - Length of time between incident and formal report</b>	<b>0</b>
# Reports made within 60 days of the sexual harassment	0
# Reports made more than 60 days following the sexual harassment	0
# Unknown	0
<b>E. # Reports forwarded to General Court Martial Convening Authority</b>	<b>0</b>
# Reports forwarded to GCMCA within 72 Hours	0
# Reports forwarded to GCMCA beyond 72 Hours	0
<b>F. Time of Sexual Harassment Incident</b>	<b>0</b>
# Midnight to 6 am	0
# 6 am to 6 pm	0
# 6 pm to midnight	0
# Unknown	0
<b>G. Day of Sexual Harassment Incident</b>	<b>0</b>
# Sunday	0
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	0
# Saturday	0
# Unknown	0
<b>H. # APY12-13 COMPLETED INVESTIGATIONS</b>	<b>0</b>
# Investigations with more than one complainant, more than one subject, or both	0
# of Subjects in Completed Investigations	0
<b>I. APY12-13 FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED INVESTIGATIONS</b>	<b>0</b>
# Subjects with Unsubstantiated Complaints	0
# Pending command action as of 31 May 12	0
# Subjects for whom command action was completed of 31 May 13	0
<b>J. # Commander Actions (APY12-13 Subjects)</b>	<b>0</b>
# Courts-martial	0
# Nonjudicial Punishments	0
# Discharges in lieu of courts-martial	0
# Discharges in lieu of disciplinary actions	0
# Cadet Disciplinary System Actions	0
# Other adverse administrative actions	0

## Formal Sexual Harassment Case Synopses

Synopsis of Formal Sexual Harassment Investigations Involving Cadets/Midshipmen									
Number	Month Closed	Subject Status	Subject Gender	Complainant Status	Complainant Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome

Prepared by Department of Defense  
Sexual Assault Prevention and Response Office

**[www.sapr.mil](http://www.sapr.mil)** (For Program and Policy)  
**[www.myduty.mil](http://www.myduty.mil)** (For Victim Care)

